England. [Laws & Statutes IV. Gilielmo and Antiquities in Particular. Subjects I. Reads.]

Anno Regni

GEORGII I. Regis.

Magn. Britann. Franciæ, & Hiberniæ,

QUARTO.

At the Parliament begun and holden at *Westminster*, the Seventeenth Day of *March*, *Anno Dom.* 1714. in the First Year of the Reign of our Sovereign Lord *GEORGE* I. by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by several Prorogations to the Twenty first Day of *November*, 1717. Being the Third Session of this present Parliament.

LONDON,
Printed by *John Baskett*, Printer to the King's most Excellent Majesty. 1737.

Anno Regni

GEORGII I. Regis.

GEORGIUS, by the Grace of God, &c.

Anno quarto

GEORGII I. Regis.

An Act for amending the Roads from the City of London *to the Town of* East Grinstead, *in the County of* Sussex, *and to the Towns of* Sutton *and* Kingston, *in the County of* Surrey.

Preamble.

WHEREAS the Highways or Roads leading from the City of *London* (that is to say) from the Stones End at *Blackman-Street*, in the Parishes of Saint *George* in *Southwark*, and Saint *Mary Newington*, in the County of *Surrey*, to *East Grinstead*,

ſtead, in the County of *Suſſex*, and to the Towns of *Sutton* and *Kingſton*, in the ſaid County of *Surrey*, and from *Vaux Hall* Bridge into the ſaid Roads; the ſaid Roads being in Length from the Stones End to *Eaſt Grinſtead* in the ſaid County of *Suſſex*, Thirty Miles, or thereabouts; and to the ſaid Town of *Sutton*, Nine Miles, or thereabouts; and to the ſaid Town of *Kingſton*, Ten Miles, or thereabouts; and from *Vaux Hall* Bridge leading into the ſaid Roads, One Mile, or thereabouts; by reaſon of the many heavy Loads and Carriages of Meal, Timber, Stone, Hops, and other Goods, and great Number of Stage and Hackney Coaches, Paſſengers, and Droves of Cattle, daily paſſing through the ſame, are become very ruinous, and almoſt impaſſable, for the Space of Five Months in the Year, ſo that it is dangerous to all Perſons, Horſes, and other Cattle, to paſs through

the ſaid Roads; and for that the ordinary Means appointed by the Laws and Statutes of this Realm, are not ſufficient for the effectual repairing and amending the ſame, neither are the Inhabitants of the ſaid Pariſhes (in which the ſaid ruinous Places of the ſaid Roads are and do lie) of Ability to repair the ſame, except ſome other Proviſion be made for raiſing Money towards putting the ſame in good and ſufficient Repair: For Remedy whereof, and to the Intent the ſaid Highways or Roads may forthwith be effectually repaired and amended, and from time to time hereafter kept in good and ſufficient Repair, may it pleaſe Your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That for the

Roads to be repaired.

surveying, ordering, repairing, and keeping in Repair the ſaid Highways or Roads, leading from the Stones End at *Blackman-Street*, through *Croydon* and *Godſtone*, to *Eaſt Grinſtead* aforeſaid; and from the ſaid Stones End through *Clapham*, *Touting*, and *Mitcham*, to *Sutton* aforeſaid; and from the ſaid Stones End through *Wandſworth* to *Kingſton* aforeſaid; and from *Vaux Hall* Bridge, leading into the ſaid ſeveral Roads, as aforeſaid, it ſhall be in the Power of the Right Honourable *Thomas* Lord *Onſlow*, the Right Honourable *Heneage* Lord *Guernſey*, Son and Heir apparent to the Right Honourable the Earl of *Aylesford*, the Right Honourable the Lord *Baltimore* of the Kingdom of *Ireland*, the Right Honourable Sir *Joſeph Jekyll* Knight, Maſter of the Rolls, the Right Honourable *Spencer Compton* Eſquire, Speaker of the Honourable Houſe of Commons, the Honourable *William*

Truſtees for repairing the Roads from Stones End at *Blackman-Street* to *Eaſt Grinſtead*.

liam Feilding Esquire, the Honourable Henry Pelham Esquire, Sir Nicholas Carew, Sir Richard Child, Sir Fisher Tench, Sir Montague Blundell, Sir Samuel Lenard, Sir John Lee, Sir John Elwill, Sir Francis Vincent, Sir John Evelyn, Sir Berkley Lucy, Sir James Bateman, Baronets; Sir William Lewin, Sir John Leake, Sir William Scawen, Sir William Stewart, Sir Thomas Scawen, Sir Isaac Shard, Sir William Jolliff, Sir John Ward, Sir Charles Cox, Sir William Hammond, Knights; Denzil Onslow, John Lade, William Clayton, George Evelyn, James Cox, William Jordan, William Newland, Paul Docminique, Morgan Randyl, Robert Wroth, Josiah Diston, John Hopkins, William Bellamy, John Rudge, James Milner, Edmund Halsey, William Northey, Daniel Harvey, Richard Chiswell, John Burridge, Nicholas Carew, John Dewey, William Parker,

Henry Cliff, John Claxton, Francis Hawes, John Angell, Arnold Sanſom, Francis Shepheard, John Cater, Richard Houlditch, John Fellows, Charles Hoskins, Joſeph Gearing, William Hoskins, Edward Evelyn, William Evelyn, John Syliard, Thomas Maylin, Gilbert Douglas, Henry Bartlett, William Eaſt ſenior, William Eaſt junior, Urban Hall, Wight Wolley, William Betts, George Ballard, Joſeph Pace, Vincent, Thomas Spence, George Creſner, William Fenwick, Henry Corniſh, John Livingſton, Andrew Meure, John Edwards, Philip Dacres, John Parkhurſt, Richard Rooth, John Fellows, Churles Farwell, John Borrett, John Morley Trevor, James Butler, Henry Pelham ſenior, Henry Pelham junior, John Conyers, George Naylor, Thomas Weſtern, Francis Wyatt, Charles Goodwin, Leonard Gale, John Newnham, Richard Shelley, Humphrey

phrey Fowle, Thomas Medley, William Pellatt, John Apſley, Thomas Pelham, Ambroſe Brown, Richard Arnold, Edward Thurland, John Parker, Henry Byne, Charles Noden, William Draper, Francis Porter, Thomas Williams, Henry Fendall, Henry Saint John, Samuel Ruſh, George Meggot, Barber, Hewer Edgeley Hewer, John Heather, Eſquires; *Thomas Man, Joſiah Milner, James Moulton, John Strong, Ambroſe Parker, John Parker* ſenior; *James Cranmer, Froud, Charles Dubois, Samuel Dubois, Woodroff, John Crew, Henry Meriton, Richard Ducane, Thomas Burrow, William Piggott, Thomas Wyatt, John Tydcomb, John Man, James Pettitt, Richard Still, Benjamin Fawkner, Thomas James, Henry Johnſon, Leonard Child,* Eſquires; *Richard Ford, Henry Quennill, Charles Byne, Turgis Newland, Henry Saunders,*

Saunders, *Thomas Rouſe*, *Anthony Farrington* ſenior, *Anthony Farrington* junior, *Joſeph Cooke*, *Samuel Pearſon*, *Lawrence Parker*, *Peter Hamley*, *Roger More*, *John Man*, *Joſeph Peale*, and *Ralph Drake*, Gentlemen; who are hereby nominated and appointed Truſtees for the Roads leading from the ſaid Stones End in the ſaid Borough of *Southwark*, to the Town of *Eaſt Grinſtead* in the ſaid County of *Suſſex*; and from the Stones End aforeſaid to the Town of *Sutton* in the County of *Surrey*; and from *Vaux Hall* Bridge, leading into the ſeveral Roads aforeſaid: *Edward Harvey* of *Combe*, *Thomas Brodricke*, *Henry Temple*, *Thomas Lant*, *Peter Paggen*, *Edward Barker*, *George Morley*, *Charles Carkeſſe*, *William Madgwick*, *James Fleet*, *Peter Delaport*, *James Pitame*, *Robert Williamſon*, *John Baskett*, *Benjamin Wolley*, *Nicholas Harding*, *Walter Kent*, *Samuel Winchop*,

Truſtees for repairing the Roads from the Stones End to *Kingſton*.

chop, William Hatton, John Evans, Eſquires; the Bailiffs of *Kingſton* for the time being, *John Daberon, Edward Stables, John Ackworth, Martin Newport, John Eſſington, John Richards, Elias Pearſe, William Parrott, Daniel Danvers, John Ball, Charles Bernard*, and *John Nuthall*, Gentlemen; who are hereby nominated and appointed Truſtees, for the Roads leading from the ſaid Stones End to the Town of *Kingſton* in the ſaid County of *Surrey*, for putting this Act in Execution, within the reſpective Diſtricts before mentioned reſpectively, and the Survivors of them, or any Seven or more of them reſpectively, to erect, or cauſe to be erected a Gate or Gates, Turnpike or Turnpikes, croſs any Part or Parts of the ſaid Highways or Roads, and to have, receive, and take for every Horſe, Mule, or Aſs, laden or unladen, and for every Chaiſe, Cart, Dray, or other Carriage,

Seven or more Truſtees may erect Turnpikes.

Rates of the Toll.

riage, drawn by One Horſe only, the Sum of One Peny; for every Coach, Chariot, or Calaſh, drawn by Two or more Horſes, before they ſhall be permitted to paſs through the ſame, the Sum of Six Pence; for every Waggon not laden with Hay or Straw, the Sum of Six Pence; for every Waggon laden with Hay or Straw, the Sum of Three Pence; for every Cart, Dray, or Carriage, laden with Hay or Straw, or other Goods, the Sum of Two Pence; for every Drove of Oxen or Neat Cattle, the Sum of Two Pence *per* Score, and ſo in Proportion for every greater or leſſer Number; for every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of One Peny *per* Score, and ſo in Proportion for every greater or leſſer Number, in the Name of a Toll: Which Money ſo to be raiſed, as aforeſaid, is hereby veſted in the ſaid Truſtees; and the ſame, or any Part thereof, ſhall be paid, applied,

applied, diſpoſed of, or aſſigned to and for the ſeveral Uſes and Purpoſes, and in ſuch Manner as is herein after mentioned (the reaſonable Charges of paſſing this Act of Parliament being firſt deducted) And they the ſaid Truſtees, or any Seven or more of them reſpectively, are hereby impowered by themſelves, or any Perſon or Perſons by them, or any Seven or more of them reſpectively, under their Hands and Seals thereunto authorized, to levy of any ſuch Perſon or Perſons, who ſhall (after Demand thereof made) refuſe to pay the ſame, each and every of the ſaid Sums of Money, by this Act required to be by them reſpectively paid, as aforeſaid, by Diſtreſs and Sale of any Horſe or Horſes, Aſs or Aſſes, Mule or Mules, or other Cattle or Goods, upon which ſuch Toll or Duty is by this Act impoſed, or upon any other of the Goods and Chattels of ſuch Perſon, who

Truſtees, &c. may diſtrain on Perſons refuſing to pay Toll.

who ought to pay the ſame; and may detain and keep the ſame, until ſuch Toll or Duty, with the reaſonable Charges of ſuch Diſtreſs and Sale ſhall be paid; and it ſhall and may be lawful for ſuch Perſon and Perſons ſo diſtraining, after the Space of Three Days after ſuch Diſtreſs made and taken, to ſell the Goods ſo taken and diſtrained, returning the Overplus upon Demand, after ſuch Toll, Duty, and reaſonable Charges for diſtraining and keeping the ſame ſhall be deducted.

No Toll to be paid for Rippiers Horſes, nor for Horſes on which Waggoners ride.

Provided always, That this Act, or any thing herein contained, ſhall not extend, or be conſtrued to extend, to charge with any Duties hereby laid, any Horſe or Horſes laden with Fiſh, going or returning, or on which any Rippiers or Drivers ſhall ride, or any Horſe which is uſed only to ride on by the Owner or Driver of any Waggon, Cart, or Cartlage, paſſing through the ſaid

Turn-

Turnpike or Turnpikes with such Waggon, Cart, or Carriage.

And be it further enacted by the Authority aforesaid, That they the said Trustees, or any Seven or more of them respectively, by Writing under their Hands and Seals, shall and may, from time to time, choose and appoint Two or more fit Persons, to be Receivers or Collectors of such Toll or Duty as shall be due and payable by Virtue of this Act; and also Two or more fit Persons to be Surveyors, to see the Money raised, or to be raised, and expended by Virtue of this Act, duly applied; and they are hereby required to pay the same unto the said Collectors or Receivers of the Toll in that Behalf, from time to time, to be appointed, as aforesaid, after the Rates aforesaid; And the Persons, Receivers, or Collectors, appointed as aforesaid for receiving of the said Toll, and also such Surveyors, as aforesaid (if thereunto required

Trustees to choose Receivers, Collectors, and Surveyors,

who are to account monthly,

quired by the ſaid Truſtees, or any Seven or more of them reſpectively) ſhall upon Oath before One or more Juſtices of the Peace of the ſaid County of *Surrey*, inhabiting near the Highways aforeſaid, as the ſaid Truſtees, or any Seven or more of them reſpectively, ſhall or may, from time to time, under their Hands and Seals, direct (which Oath ſuch Juſtice or Juſtices is and are hereby impowered to adminiſter) on the firſt *Monday* in every Month, during the Continuance of this preſent Act, give in a true, exact, and perfect Account in Writing under their reſpective Hands, of all Monies which he, they, every, or any of them, ſhall to ſuch Time have received, paid, and diſburſed by Virtue of this Act, by reaſon of their ſaid reſpective Offices; and in caſe any Overplus of Money ſo received ſhall remain in their, or either, or any of their Hands, ſhall pay the ſame to the ſaid Truſtees, or

Overplus Money to be paid to the Truſtees, &c. for amending the Highways.

or any Seven or more of them reſpectively, or to ſuch Perſon or Perſons as they, or any Seven or more of them reſpectively, ſhall, by any Writing or Writings under their Hands and Seals, authorize and appoint to receive the ſame, to be diſburſed and laid out in amending the ſaid Highways or Roads reſpectively, according to the true Meaning of this Act, and not otherwiſe: Which ſaid Truſtees, or any Seven or more of them reſpectively, to whom ſuch Account ſhall be given, ſhall or may, out of the Money ariſing by the ſaid Toll, make ſuch Allowances unto the ſaid Surveyors or Collectors, for and in Conſideration of their Care and Pains taken in Execution of their ſaid reſpective Offices, and to ſuch other Perſon and Perſons, who ſhall have been, or ſhall be aſſiſting in and about procuring the ſaid Highways or Roads to be amended, as aforeſaid, by advancing

Surveyors, &c. to be paid by the Truſtees.

or laying out any Monies, or otherwiſe relating thereunto, as to them ſhall ſeem good: And in caſe the ſaid Collectors or Receivers of the ſaid Toll, or any of them, ſhall not make ſuch Account and Payment unto ſuch Perſon and Perſons, according to the Order and Directions of the ſaid Truſtees, or any Seven or more of them reſpectively, as aforeſaid; that then the ſaid Juſtices, at any ſpecial Seſſions or monthly Meeting, to be holden for any Diviſion in which the ſaid Highways or Roads lie, ſhall make Enquiry of or concerning ſuch Default, as well by Confeſſion of the Parties themſelves, as by the Teſtimony of One or more credible Witneſs or Witneſſes upon Oath, which Oath they are hereby impowered to adminiſter: And if any Perſon or Perſons ſhall be thereof convicted by ſuch Juſtices, who are thereunto hereby impowered, the ſaid Juſtices ſhall, upon ſuch Conviction,

Collectors and Receivers not accounting, to be committed without Bail.

viction, commit the Party or Parties to the common Gaol of the County where ſuch Offence ſhall be committed, there to remain without Bail or Mainprize, until he or they ſhall have made a true and perfect Account and Payment, as aforeſaid.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Surveyors, and ſuch Perſon and Perſons as they ſhall appoint, to dig, gather, take, and carry away any Gravel, Sand, Stone or Stones, out of any common or waſte Ground, in any of the ſaid Pariſhes in which the ſaid foundrous or ruinous Places of the ſaid Highways or Roads do lie; and for want of ſufficient Gravel, Sand, or Stones there, out of the Waſte or Commons of any neighbouring Pariſh, Town, Village, or Hamlet, without paying any thing for the ſame; and where there is not ſufficient of ſuch Ma-

Surveyors, &c. may dig Gravel in waſte Grounds.

terials in any common or waſte Grounds near adjoining, to dig or gather in the ſeveral Grounds of any Perſon or Perſons (not being an Houſe, Garden, Orchard, Yard, or Meadow, planted Walk or Walks, or Avenue to a Houſe) where any ſuch Materials are or may be found; and from time to time to carry away ſuch and ſo much thereof, as the ſaid Surveyors in their reſpective Places ſhall adjudge neceſſary for the repairing the ſaid Highways or Roads, without paying any thing for ſuch Materials, ſave only ſuch reaſonable Satisfaction to the Owner or Occupier of the Ground where the ſame ſhall be digged, gathered, and carried away, for the Damage which he or they ſhall or may thereby ſuſtain, as ſhall be aſſeſſed and adjudged by the Juſtices of the Peace, at the next ſpecial Seſſions or monthly Meeting, to be holden for the Diviſion where ſuch Materials ſhall be digged, gathered, or carried

carried away, in caſe of Difference concerning the ſame.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Surveyors, and ſuch Perſon and Perſons as they ſhall appoint, by the Order of the ſaid Truſtees, or any Seven or more of them reſpectively, to cut and make Drains through, and to make and erect Arches of Brick, Timber, or Stone upon, and alſo to widen any the narrow Parts of the ſaid Highways or Roads, by opening and laying into the ſaid Highways or Roads any Grounds of any Perſon or Perſons lying contiguous to ſuch Highways or Roads (not being Houſe, Garden, Orchard, planted Walk, or Avenue to a Houſe) in ſuch manner as ſuch Truſtees, or any Seven or more of them reſpectively, ſhall adjudge neceſſary, for the Benefit of, and for the better keeping the ſaid Highways or Roads in good Repair,

Surveyors may make Drains, &c. by Order of Truſtees,

making Satisfaction to the Owners.

making ſuch reaſonable Satisfaction to the Owner or Occupier of ſuch Ground, which ſhall be ſo laid into the ſaid Highways or Roads, or through which any ſuch Drain or Drains ſhall be cut, or on which any ſuch Arch or Arches ſhall be made, for the Damage which he or they ſhall or may thereby ſuſtain, as ſhall be aſſeſſed and adjudged by the Juſtices of the Peace at the next ſpecial Seſſions or monthly Meeting, to be holden for that Diviſion, in which ſuch Ground ſhall be ſo laid into the ſaid Highways or Roads, or through which any ſuch Drain or Drains ſhall be cut, or on which any ſuch Arch or Arches ſhall be made, in caſe of any Difference concerning the ſame.

And foraſmuch as the Monies ſo to be collected by ſuch Receipt of the ſaid Toll, as aforeſaid, will not at preſent raiſe ſuch a Stock or Sum of Money, as may be ſufficient for the ſpeedy repairing of the ſaid Highways

Highways or Roads; it is hereby further enacted, That the ſaid Truſtees, or any Fifteen or more of them, ſhall or may, from time to time, by Writing under their Hands and Seals, aſſign over the ſaid Toll, or any Part thereof, for any Time or Term for which the ſame is hereby enacted to be paid, or for any Part of ſuch Time or Term, for any Sum or Sums of Money by them to be borrowed for that Purpoſe, to ſuch Perſon or Perſons, or their Truſtees, who ſhall advance and lend the ſame, to ſecure the Repayment thereof, with lawful Intereſt; which ſaid Money ſo borrowed ſhall be ſo applied, as the ſaid Toll ſhould have been applied by this Act. Profits of the Toll may be aſſigned over for Monies borrowed.

And be it further enacted by the Authority aforeſaid, That if any Suit ſhall be commenced againſt any Perſon or Perſons, for any thing done in purſuance of this preſent Act, that in every ſuch Caſe the General Iſſue.

Action ſhall be laid in the ſaid County of *Surrey*, and not elſewhere; and the Defendant or Defendants, in ſuch Action or Actions to be brought, may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance, and by the Authority of the ſaid Act; and if it ſhall appear ſo to be done, or that ſuch Action or Actions ſhall be brought in any other County, that then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff ſhall be nonſuited, or diſcontinue his Action, after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgement ſhall be given againſt the Plaintiff, the Defendant or Defendants ſhall and may recover treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have in any other Caſes by Law.

Pro-

Provided always, That no Perſon or Perſons, having Occaſion to paſs the Place where the Toll is taken, and return the ſame Day before Twelve of the Clock at Night, between the Months of *March* and *September*, and Ten of the Clock at Night, during the other Months of the Year, with the ſame Horſe, Aſs, Mule, Cattle, Coach, Chariot, Calaſh, Chaiſe, Waggon, Cart, Dray, or other Carriage, ſhall not be compelled the ſame Day to pay the ſaid Toll a ſecond time, if ſuch Perſon or Perſons ſhall produce a Note or Ticket, that ſuch Toll or Duty was before paid, which Note or Ticket ſuch Receivers or Collectors are hereby required to give *gratis*. Perſons paſſing and repaſſing not to pay twice.

And further alſo, That all and every Perſon and Perſons paſſing through the Place appointed for the receiving the Toll aforeſaid, and coming from any Pariſh next adjoining to the ſaid Roads reſpectively, Perſons and Things exempted from Toll.

ly, ſhall have Liberty to carry away any Quantities of Stone, Sand, Lime, or Gravel, Grains, Dung, Mold, or Compoſt, of any Nature or Kind whatſoever, Brick, or Chalk, or any Wood, Coal, or Charcoal, not going to any Market; and that all Carts with Hay, not going to any Market, Corn in the Straw in Hay-time or Harveſt, Ploughs, Harrows, and other Implements of Husbandry, and all other Things whatſoever, employed in Husbandry, or manuring and ſtocking of their ſeveral and reſpective Lands, in ſuch ſeveral and reſpective Pariſhes, ſhall paſs through the ſaid Place, where ſuch Toll is to be received, without paying any thing for their reſpective paſſing through the ſame; and that it ſhall and may be lawful for all and every Soldier or Soldiers, upon their March, and all Carts, Waggons, and Carriages attending them, and all Perſons riding Poſt, and alſo all

Carts

Carts and Waggons travelling with Vagrants ſent by Paſſes, to paſs through the ſaid Places where the ſaid Toll is taken and to be collected, without paying any thing for their paſſing; any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

Perſons chargeable to the Highways, ſtill to remain ſo.

Provided always, That all and every Perſon and Perſons, who by Law are chargeable towards the repairing and amending the ſaid Highways or Roads, ſhall ſtill remain chargeable, and do their reſpective Works in the ſaid Highways or Roads, as before they uſed to do, or ought to have done therein.

Penalty for permitting Perſons to paſs through their Lands to avoid the Toll, 10*s*.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever, owning, renting, or occupying any Land, near unto any Gate or Turnpike to be erected in purſuance of this Act, ſhall, for Gain or Reward, permit or ſuffer any Perſon or Perſons whatſoever, to paſs through any

any Gate, Paſſage, or Way, with any Coach, Chaiſe, Chariot, Calaſh, Waggon, Cart, Carriage, Horſe, Aſs, Mule, or any Sort of Cattle, whereby the Payment of the Toll appointed by this Act for Repair of the ſaid Roads is or ſhall be avoided; every ſuch Perſon ſo offending, and being thereof convicted upon Oath, before any One or more Juſtices of the Peace for the ſaid County of *Surrey*, ſhall for every ſuch Offence forfeit and pay to the ſaid Truſtees the Sum of Ten Shillings, to be levied by Diſtreſs and Sale of the Offenders Goods, by Warrant under the Hand and Seal, or Hands and Seals of the ſaid Juſtice or Juſtices, rendring the Overplus to the Owner.

Truſtees may erect Turnpikes croſs By-Lanes, &c.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them reſpectively, to erect One or more Gate or Gates, Turnpike or Turnpikes, on the Side of the ſaid

ſaid Highways or Roads, croſs any Lane or Way leading out of the ſaid Highways or Roads, and there to receive and take ſuch Toll as is appointed by this Act to be taken at the Turnpikes to be erected by Virtue of this Act, ſo as the ſame do not extend to a double Charge, in caſe of paſſing through any other of the Turnpikes to be erected by Virtue of this Act.

Truſtees may compound with Pariſhes for their Statute Work.

And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Seven or more of them reſpectively, from time to time, during the Continuance of this Act, to compound or agree with any of the Pariſhes, to which the ſaid Roads or Highways do belong, for a certain Sum of Money, or otherwiſe, by the Year, as the ſaid Truſtees, or any Seven or more of them reſpectively, ſhall think reaſonable, in lieu of the Statute Work to be done by ſuch Pariſh or Pariſhes, as aforeſaid.

And

And for preventing of Differences which may ariſe between the ſaid Truſtees and the Surveyors of the Highways, for the ſeveral Pariſhes through which the ſaid Roads or Highways do lead, touching what Part of the Statute Work in any Pariſh ought to be done on the ſaid Roads or Highways, be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Two of the Juſtices of the Peace for the ſaid County of *Surrey*, at any petty Seſſions, or ſpecial Seſſions of the Peace, upon Application made to them by any Three or more of the Truſtees reſpectively, to adjudge and determine what Part or Proportion of the Statute Work ſhall be done on the ſaid Roads or Highways, by and in each or any of the Pariſhes aforeſaid.

Juſtices may determine what Part of Statute Work ſhall be done by Pariſhes on theſe Roads.

And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Surveyor or Surveyors, nominated by the

Surveyors may remove Annoyances, and cleanſe Ditches, &c. if the Owners neglect ſo to do.

the Truſtees appointed by this Act, or any Seven or more of them reſpectively, from time to time, to remove and prevent Annoyances on the ſaid Roads or Highways, by Filth, Dung, Aſhes, or Rubbiſh, or by Sinks or Drains running into the ſaid Roads or Highways, and to cleanſe any Ditch or Watercourſe adjoining to the ſaid Roads or Highways, and to lop or cut any Boughs of Trees in Fences adjoining to the ſaid Roads or Highways; and to cut down, take, and carry away any Trees or Buſhes growing in the ſaid Roads or Highways (the Owner or Occupier neglecting to reform and remove ſuch Annoyances, or to cut, fell, or take away ſuch Trees, Buſhes, and Lops, Ten Days after Notice in Writing given for that Purpoſe, under the Hands of the ſaid Truſtees, or any Seven or more of them reſpectively) the Charges whereof ſhall be reimburſed.

And

Penalty for laying Filth, Dung, &c. in the Road, and for not cleanſing Ditches, &c.

And be it enacted, That if after Amoval of any ſuch Annoyance, any Perſon or Perſons ſhall again offend in the like kind, every ſuch Perſon ſo offending, and being thereof convicted upon Oath before Two Juſtices of the Peace for the ſaid County of *Surrey*, ſhall for every ſuch Offence forfeit and pay to the ſaid Truſtees the Sum of Twenty Shillings, to be levied in manner aforeſaid.

Commencement and Continuance of this Act.

And be it further enacted by the Authority aforeſaid, That the Toll hereby granted ſhall take Place and have Continuance only from the Five and twentieth Day of *March*, One thouſand ſeven hundred and eighteen, for and during the Term of One and twenty Years. Provided, That if at any time before the Expiration of the ſaid Term of One and twenty Years the ſaid Highways or Roads ſhall be ſufficiently amended and repaired, and ſo adjudged by the Juſtices of the Peace

Peace for the ſaid County of *Surrey*, at their Quarter-Seſſions to be holden for the ſaid County, that then, from and after ſuch Adjudication made, and Repayment of ſuch Monies as ſhall have been borrowed, with Intereſt for the ſame, by Virtue of this Act, the aforeſaid Toll ſhall ceaſe and determine; any thing herein contained to the contrary thereof notwithſtanding.

Juſtices in their Quarter-Seſſions may appoint Perſons to ſurvey the Highways, &c.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Juſtices of the Peace, at their reſpective General Quarter-Seſſions to be holden for the ſaid County of *Surrey*, yearly and every Year, after the ſaid Five and twentieth Day of *March*, One thouſand ſeven hundred and eighteen (if they think fit) to appoint Two or more fit Perſons to ſurvey and view the ſaid ruinous Highways or Roads by this Act directed to be amended; and to

enquire of the Duties and Toll received in purſuance of this Act; and in caſe they find any Miſapplication of the Monies levied by this Act, or any Abuſes of the Power and Authority to them granted, as aforeſaid, thereupon to certify the ſame to the Juſtices of the Peace, at their General Quarter-Seſſions to be holden for the ſaid County of *Surrey*; who are hereby authorized and impowered to hear, examine, and finally determine the ſame, without further or other Appeal.

Truſtees dying, &c. others may be choſen in their ſtead.

And be it further enacted by the Authority aforeſaid, That for the continuing of a ſufficient Number of fit and able Perſons to be Truſtees, for putting in Execution all and every the Powers and Clauſes in this Act contained, for and during the Continuance thereof, it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them reſpectively, upon the

the Death of any of the ſaid Truſtees, or Removal, or refuſing to act in the ſaid Truſt, by any Writing or Writings under their Hands and Seals, from time to time, and at all Times hereafter, during the Term aforeſaid, to elect, nominate, and appoint, in the Room of ſuch Truſtee or Truſtees ſo deceaſed, removed, or refuſing to act, ſo many more fit and able Perſon or Perſons, living in the ſaid County of *Surrey*, or City of *London*, to be joined with them in the Execution of all and every the Powers and Truſts in them repoſed, by Virtue, and in Purſuance of this Act; and all and every Perſon and Perſons, ſo as aforeſaid to be choſen, to join in the putting in Execution this Act, ſhall and may, and they are hereby impowered to act and do, to all Intents and Purpoſes, in as full, large, and ample Manner, as they the ſaid Truſtees are by this Act impowered to act and do.

Time and Place of Truſtees firſt Meeting.

And be it further enacted by the Authority aforeſaid, That the ſeveral Truſtees aforeſaid, or any Seven or more of them reſpectively, ſhall meet together at the *King's Arms* Tavern on Saint *Margaret's* Hill, in the Borough of *Southwark*, in the ſaid County of *Surrey*, on or before the Fourteenth Day of *March*, in the Year of our Lord One thouſand ſeven hundred and ſeventeen, and ſhall then adjourn themſelves, and afterwards meet there, or at any other Place near the ſaid Highways or Roads ſo to be repaired as aforeſaid, as the ſaid Truſtees, or any Seven or more of them reſpectively, ſhall think proper or convenient, as often as it ſhall be neceſſary for putting this Act in Execution.

And whereas ſeveral Roads are intended by this Act to be repaired and amended at one and the ſame time, for the greater Eaſe of Perſons

ſons paſſing and repaſſing the ſame, be it enacted by the Authority aforeſaid, That the Monies ariſing by the Duties or Tolls granted by this Act, or borrowed by Virtue of the ſame, ſhall be applied on each reſpective Road to be amended as followeth; that is to ſay, one half Part in repairing and amending the ſaid Roads from the Stones End to *Eaſt Grinſtead* (Two Thirds whereof ſhall be applied to the amending the Roads from the Stones End to *Croydon*, and the other third Part to amend the Road from *Croydon* to *Eaſt Grinſtead*) one fourth Part in repairing and amending the ſaid Roads from the Stones End to *Kingſton*, and one fourth Part in repairing and amending the ſaid Roads from the Stones End to *Sutton*; any thing in this Act contained to the contrary notwithſtanding.

Money to be raiſed and borrowed, proportioned for the ſeveral Roads.

This to be taken for a publick Act.

And be it enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a publick Act; and all Judges and Justices of the Peace are hereby required to take Notice thereof as such, without special pleading the same.

Wm Cowper,
Cler' Parliamentor'

FINIS.

Anno Regni

GEORGII I. Regis

Magn. Britann. Franciæ, & Hiberniæ,

SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Seventeenth Day of *March*, *Anno Dom.* 1714. in the Firſt Year of the Reign of our Sovereign Lord *GEORGE* I. by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Twenty third Day of *November*, 1719. Being the Fifth Seſſion of this preſent Parliament.

LONDON,

Printed by *John Baskett*, Printer to the King's moſt Excellent Majeſty. 1737.

LONDON

Printed by John Baskett, Printer to the
King's most Excellent Majesty. 1732.

Anno ſexto

GEORGII I. Regis.

An Act for enlarging the Term granted by an Act in the Fourth Year of His Majeſty's Reign, intituled, An Act for repairing the Highways leading from the *Stones End* in *Kent-Street* to the *Lime-Kilns* in *Eaſt-Greenwich*, near *Black-Heath*, and to *Lewiſham* Church, being the *Tunbridge* Road in the County of *Kent*; *and for repairing and amending the Highways and Roads leading from* Weſtminſter *Ferry in the Pariſh of* Lambeth *in the County of* Surrey, *to* New-

New-cross *in the Parish of* Deptford *in the County of* Kent; *and for enlarging the Term granted by an Act passed in the Fourth Year of His Majesty's Reign, intituled,* An Act for amending the Roads from the City of *London* to the Town of *East-Grinstead* in the County of *Sussex*, and to *Sutton* and *Kingston* in the County of *Surrey*, *and for explaining and amending the same Act.*

Preamble. WHEREAS an Act passed in the Fourth Year of His present Majesty, intituled, *An Act for repairing the Highways leading from the* Stones End *in* Kent-Street, *in the Parish of Saint* George's Southwark, *in the County of* Surrey, *to the* Lime-Kilns *in* East-Greenwich, *near* Black-Heath, *and to* Lewisham *Church, being the* Tunbridge *Road in the County of* Kent, was made

to

to continue from the Five and twentieth Day of *March*, One thouſand ſeven hundred and eighteen, for and during the Term of Eleven Years: And whereas the Truſtees appointed by the ſaid Act have, upon the Credit thereof, for the Purpoſes therein mentioned, laid out and expended in the Reparation of the ſaid Roads the Sum of Five thouſand five hundred Pounds, and upwards, over and above all Monies collected at the Turnpikes; which great Expence hath been occaſioned by the extraordinary Ruin of the ſaid Roads; and although great Progreſs hath been made therein, yet the Roads cannot be effectually amended and repaired, according to the true Intent and Meaning of the ſaid Act, and the Monies advanced on the Credit thereof be repaid, unleſs the Term thereby granted be enlarged, and the ſaid Act made more effectual: May it therefore pleaſe Your moſt Excellent

lent Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Act, and all Clauſes, Powers, and Penalties therein contained, ſhall continue, and be in Force, and be executed, from and after the Expiration of the aforeſaid Term of Eleven Years, for and during the Term of Ten Years from thence next enſuing, ſubject to the Alterations herein after mentioned and contained.

And be it enacted by the Authority aforeſaid, That from and after the Second Day of *May*, One thouſand ſeven hundred and twenty, where any Gate or Gates, Turnpike or Turnpikes, are erected or to be erected by Virtue of this and the former Act, the ſaid Truſtees

for

for putting this Act or the former Act in Execution, and the Survivors of them, or any Five or more of them, or ſuch Perſon or Perſons as they, or any Five of them, ſhall authorize and appoint, ſhall have and receive the Tolls and Duties following, before any Horſe, Cattle, Coach, Chariot, Chaiſe, Calaſh, Waggon, Cart, or other Carriage whatſoever, laden or unladen, ſhall be permitted to paſs through the ſame, *viz.*

The Toll.

For every Coach, Chariot, Chaiſe, or Calaſh, drawn by Two Horſes, or more, the Sum of Six-Pence; and for every Chaiſe or Calaſh, drawn by One Horſe, the Sum of Two Pence.

For every Waggon and other Carriage, drawn on Four Wheels, not laden with Hay or Straw, Charcoal, old Coal, Wood Coal, or Small Coal, the Sum of Six Pence.

For every Waggon laden with Hay, Straw, Charcoal, old Coal, Small

Small Coal, or Wood Coal, the Sum of Four Pence.

For every Cart, Dray, or Carriage, laden with Hay or Straw, Charcoal, old Coal, Wood Coal, or Small Coal, or other Goods, the Sum of Three Pence.

For every Waggon, Cart, or other Carriage, laden with Clay, Gravel, or Sand, the Sum of Six Pence.

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Peny.

Distress for Nonpayment.

Which said respective Sum and Sums of Money shall be demanded and taken in the Name of, and as a Toll or Duty; and the Money so to be raised, as aforesaid, by this Act, as well as all other Monies raised by Virtue of the former Act, is, are, and shall hereby be vested in the said Trustees, and the same and every Part thereof, shall be paid, applied, disposed of, or assigned, to and for the several Uses, Intents,

Intents, and Purpoſes, and in ſuch manner as is directed by the ſaid former Act, and herein after mentioned and declared (the reaſonable Charges expended or to be expended in or about, or by reaſon of paſſing this Act of Parliament being firſt deducted) and the ſaid Truſtees, or any Five or more of them, are hereby impowered by themſelves, or any Perſon or Perſons by them, or any Five or more of them, under their Hands and Seals thereunto authorized, to levy the Toll or Duty hereby required to be paid, upon ſuch Perſon or Perſons, who ſhall (after Demand thereof made) neglect or refuſe to pay the Sum, as aforeſaid, by Diſtreſs and Sale of any Horſe or Horſes, or other Cattle, or other Goods upon which ſuch Toll or Duty is by this Act impoſed, or upon other the Goods and Chattels of ſuch Perſon or Perſons who ought to pay the ſame, to be recovered, applied, and diſpoſed

poſed of, as by the ſaid former Act is directed.

Penalty on Sand Carts or Waggons, whoſe Wheels are bound with Iron.

And whereas the great Decay of the Highways or Roads (intended to be repaired by this and the ſaid former Act) is chiefly occaſion'd by the heavy Carriages and exceſſive Burthens of Sand paſſing and repaſſing upon the ſame; Be it therefore enacted by the Authority aforeſaid, That from and after the ſaid Second Day of *May*, One thouſand ſeven hundred and twenty, no Waggon, Cart, or Carriage laden with Sand, ſhall go or be drawn upon the ſaid Highways or Roads hereby intended to be repaired and amended by this and the former Act, but with Wheels not bound with Streaks of Iron or Tire; and for every ſuch Waggon, Cart, or Carriage, laden with Sand, as aforeſaid, that ſhall go or be drawn with Wheels bound with Iron, the Owner or Driver of any ſuch Waggon, Cart, or Carriage, ſhall forfeit the Sum of Ten Shillings

Shillings for each Load, to be recovered by Diſtreſs and Sale of the Offenders Goods and Chattels, rendering the Overplus, if any be, to the Owner; and the Monies ariſing thereby to go and be applied for the repairing and amending the ſaid Highways or Roads, in the ſame manner as the other Monies raiſed are applied either by this or the former Act; any thing to the contrary notwithſtanding.

Exception.

Provided, That nothing in this Act contained ſhall extend to any Waggon, Cart, or Carriage, carrying Sand from the Pits adjoining to the Lime Kilns near *Blackheath* to the Town of *Deptford*.

Truſtees may dig Gravel, &c. in Waſte Grounds.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, or ſuch Perſon or Perſons as they ſhall appoint, to dig, gather, take, and carry away Gravel, Furze, Heath, Sand, Chalk, or Stones, out of any

Common or Waſte Ground of any Pariſh, Town, Village, or Hamlet, in or near which any founderous or ruinous Places of the ſaid Highways or Roads do lie; and for want of ſufficient Gravel, Furze, Heath, Sand, Chalk, or Stones there, to dig, gather, take, and carry away the ſame out of the Waſte or Common of any Neighbouring Town, Village, or Hamlet, without paying for the ſame; and where there are not ſufficient Materials in any Common or Waſte Ground near adjoining, it ſhall and may be lawful for them, by Order under the Hands and Seals of the ſaid Truſtees, or any Five or more of them, to dig and gather the ſame in the ſeveral Grounds of any Perſon (not being an Houſe, Garden, Orchard, Yard, or Meadow, planted Walk or Walks, or Avenue to a Houſe) where any ſuch Materials are to be found, and from time to time to carry away ſuch and ſo much thereof as the

ſaid Truſtees, or any Five or more of them, or ſuch Perſon or Perſons as they ſhall ſo appoint, in thoſe reſpective Places ſhall adjudge neceſſary for the repairing and amending the ſaid Highways or Roads, paying ſuch a Price for the reſpective Materials to the Owner or Occupier of the Ground from whence the ſame ſhall be digged, gathered, and carried away, as the Truſtees appointed or to be appointed by this Act or by the ſaid former Act, to put this and the ſaid former Act in Execution, or any Five or more of them ſhall adjudge reaſonable; and in caſe of any Difference concerning the ſame, between ſuch Owner, and the ſaid Truſtees, touching the Damage aforeſaid, the Juſtices of the Peace at the next Special Seſſions to be holden for that Diviſion of the County where ſuch Materials ſhall be digged, gathered, or carried away, ſhall and may adjudge, aſſeſs, and ſettle the ſame,

without any further or other Appeal.

Toll payable but once a day.

And be it enacted by the Authority aforeſaid, That in caſe there ſhall be one or more Gate or Gates, Turnpike or Turnpikes, in or cloſe to the ſaid Highways or Roads, no Perſon or Perſons having paid the Duty or Toll aforeſaid to the ſaid Receiver or Receivers, Collector or Collectors thereof, at the firſt Gate or Turnpike through which ſuch Perſon or Perſons ſhall paſs, and producing a Note or Ticket that the ſaid Toll or Duty was paid (which Note or Ticket ſuch Receiver or Receivers, Collector or Collectors, is and are hereby required to give *gratis*) ſhall be liable to pay any Toll or Duty at any other of the ſaid Gates or Turnpikes upon the ſaid Highways or Roads, ſuch Perſon and Perſons delivering the ſaid Note or Ticket to the ſaid Receiver or Receivers, Collector or Collectors of the ſaid Toll or Duty at the

the latter Gate or Turnpike the ſame Day; and no Perſon or Perſons having Occaſion to paſs the Places where any Toll or Duty is taken, and ſhall return the ſame Day before Twelve of the Clock in the Night, between *March* and *September*, and Ten of the Clock in the Night during the other Months in the Year, with the ſame Horſe, Aſs, Mule, Cattle, Coach, Chariot, Chaiſe, Waggon, Cart, Dray, or other Carriage, ſhall be liable or compellable to pay the ſaid Toll or Duty more than once in one Day.

Carts, &c. paſſing through the Turnpikes ſeveral times in one Day, to pay but thrice.

And whereas the Truſtees appointed by the Act for repairing the Highways leading from the *Stones End* in *Kent-Street*, in the Pariſh of St. *George's Southwark*, in the County of *Surrey*, to the *Lime Kilns* in *Eaſt Greenwich*, near *Black-Heath*, and to *Lewiſham* Church, being the *Tunbridge* Road in the County of *Kent*, are impowered, from time to time, as they

ſhall ſee convenient, or think fit, to compound or agree by the Year, or otherwiſe, with any Perſon or Perſons, uſing to travel through the ſaid Turnpike or Turnpikes, either with Waggon, Cart, Coach, Horſe, Chaiſe, or any other Carriage, for any Sum or Sums of Money to be paid quarterly, from time to time, after ſuch Agreement ſhall be made: Therefore be it provided and enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons, having Occaſion to paſs and repaſs through any Turnpike or Turnpikes erected, or to be erected by Virtue of this or the former Act, more than once in one Day, with the ſame Horſe, Mule, or Aſs, or with the ſame Coach, Chariot, Calaſh, or Chaiſe, or with the ſame Waggon, Dray, Cart, or other Carriage, ſhall not be liable or compellable to pay the ſaid Duties or Tolls granted either by this or the former Act more than Three times

in

in One Day, for their paſſing and repaſſing the ſaid Highways, within the Hours and Times limited, as aforeſaid; any thing to the contrary notwithſtanding.

Perſons and Things exempted from Toll.

Provided alſo, and it is hereby declared, That no Perſon ſhall be charged with the Tolls or Duties by this or the former Act, who ſhall carry any Stone, Gravel, or other Materials, for repairing of the Roads or Highways in the Pariſhes where the Roads hereby intended to be repaired do lie, and for carrying any Dung, Mould, or Compoſt, of any Nature or Kind whatſoever, for manuring of Gardens or Land; nor ſhall any Perſon or Perſons be chargeable with the ſaid Toll or Duty of any Carts or Waggons carrying any Hay or Corn in the Straw, to be laid up in or about the Houſes of the reſpective Inhabitants of the ſeveral Pariſhes in which the ſaid Highways and Roads, intended to be repaired, lie; nor for

Ploughs, Harrows, or other Implements of Husbandry, for manuring and ſtocking of Land in the ſeveral Pariſhes in which the Highways and Roads, hereby intended to be repaired, do lie; nor ſhall any Toll or Duty be demanded at any of the Turnpike or Turnpikes, for any Poſt Horſes carrying the Mail or Pacquet; or ſuch Horſe as ſhall be uſed only to ride on by the Owner or Driver of any Waggon, Cart, or Carriage, provided ſuch Horſe paſs through the Turnpike or Turnpikes with ſuch Waggon, Cart, or Carriage; nor ſhall any Toll or Duty be demanded or taken for any Soldiers paſſing, that are upon their March, or for Carts, or Waggons attending them, or for any Horſes laden with Fiſh, or for the Horſes on which the Rippiers or Drivers of ſuch ſaid Horſes ſhall ride, going on or towards *London*, or for ſuch ſaid Horſes returning, but that ſuch Horſes ſhall at all times paſs

Toll

Toll free; or for Horſes, Carts, and Waggons, travelling with Vagrants ſent by Paſſes; nor ſhall any Toll or Duty be demanded for any Stone, Sand, Lime, or Gravel, Grains, Brick, Tiles, or Chalk, or any Wood not going to any Market, or for Sale, which ſhall be carried or conveyed in or upon his, her, or their own Waggon, Cart, or Carriage, to be uſed in or upon any Lands, Houſes, or Tenements, lying within the ſaid reſpective Pariſhes, wherein the ſaid Roads or Highways, by this or the former Act are intended to be repaired and amended.

Penalty on permitting Paſſages through private Grounds.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever, owning, renting, or occupying any Land near unto any Turnpike to be erected in purſuance of this or the ſaid former Act, ſhall permit or ſuffer any Perſon or Perſons whatſoever to paſs through his, her, or their

their Ground, Yard, or any Gate, Paſſage, Way, or other Place, with any Coach, Chaiſe, Chariot, Caſh, Waggon, Cart, Dray, Carriage, Horſe, Aſs, Mule, or any Sort of Cattle, whereby the Payment of the Toll appointed by this or the ſaid former Act, for repairing the ſaid Roads, is or ſhall be avoided, every ſuch Perſon ſo offending, and being thereof convicted upon Oath before any One or more Juſtice or Juſtices of the Peace of the County where ſuch Offence ſhall be committed, ſhall for every ſuch Offence forfeit and pay to the ſaid Truſtees the Sum of Ten Shillings, to be levied by Diſtreſs and Sale of the Offenders Goods, by Warrant under the Hand and Seal, or Hands and Seals of the ſaid Juſtice or Juſtices of the Peace, rendring the Overplus, if any be, to the Owner.

Perſons aggrieved may appeal to the Quarter-Seſſions.

Provided, That if any Perſon or Perſons find him or themſelves aggrieved at any Judgement or Adjudication

dication of the ſaid Truſtees, or any Matter or Thing done in purſuance of this or the ſaid former Act, he, ſhe, or they may appeal to the next General Quarter-Seſſions of the Peace to be holden for the ſaid Counties of *Kent* and *Surrey* reſpectively, in which the ſaid Matter of Complaint did ariſe; and the Juſtices at ſuch Quarter-Seſſions are hereby impowered and required to hear and determine the ſame; and their Determination ſhall be final, without any appealing from the ſame.

The Extent of the Roads to be amended.

And whereas the ſaid Highways or Roads intended to be repaired and amended by the ſaid former Act, did only extend from the *Stones End* in *Kent-Street*, in the Pariſh of Saint *George's Southwark*, in the County of *Surrey*, to the *Lime Kilns* in *Eaſt Greenwich*, near *Black-Heath*, and to *Lewiſham* Church, being in the *Tunbridge* Road in the County of *Kent*; and the

the repairing the ſaid Highways or Roads would be of great Benefit, ſhould the ſame be extended from the *Lime Kilns* in *Eaſt Greenwich* to the Pariſh of *Lewiſham*, and from *Lewiſham* Church to *South End*, within the ſaid Pariſh of *Lewiſham*: Therefore be it enacted by the Authority aforeſaid, That the ſaid Truſtees appointed by the ſaid former Act, are hereby impowered to repair and amend the ſaid Highways or Roads leading from the ſaid *Lime Kilns* in *Eaſt Greenwich* unto the Pariſh of *Lewiſham*, and from *Lewiſham* Church, as aforeſaid, to repair and amend the ſaid Highways or Roads, unto the firſt Mill Pond at *South End*, within the ſaid Pariſh of *Lewiſham*; and that they the ſaid Truſtees, or any Five or more of them, have and ſhall have all the Powers and Authorities of this and the former Act, for repairing and extending the Repairs of the ſaid Highways or Roads,

Roads, as aforesaid; any thing to the contrary notwithstanding.

Tolls when to cease.

Provided, if at any time before the Expiration of the said additional Term of Ten Years hereby granted, the said Highways or Roads shall be sufficiently amended and repaired, and be so adjudged by the Justices of the Peace for the said Counties of *Kent* and *Surrey* respectively, at their General Quarter-Sessions to be holden for the said Counties, then and from and after such Adjudication, Judgement, and Determination of the said Justices in manner aforesaid, and after Payment of all such Monies as are and shall have been borrowed upon the Credit of this or the said former Act, with Interest for the same, the Toll before mentioned, and all the Powers and Authorities contained in this Act, or the said former Act, shall cease and determine; any thing herein or in the said former Act con-

contained to the contrary notwithstanding.

150 *l.* annually to be paid for amending the Roads between *Westminster* Ferry and *New-Cross*, by the Trustees in the first Act.

And whereas by Two Acts of Parliament passed in the Fourth Year of the Reign of His present Majesty, the one intituled, *An Act for amending the Roads from the City of* London *to the Town of* East-Grinstead *in the County of* Sussex, *and to the Towns of* Sutton *and* Kingston *in the County of* Surrey, the other intituled, *An Act for repairing the Highways leading from the* Stones End *in* Kent-Street, *in the Parish of Saint* George's Southwark *in the County of* Surrey, *to the* Lime Kilns *in* East Greenwich, *near* Black-Heath, *and to* Lewisham *Church, being the* Tunbridge *Road in the County of* Kent, by which Acts all Passengers, Travellers, and others, having Occasion to pass and repass between *Westminster* Ferry in the Parish of *Lambeth*, in the County of *Surrey*, through *Newington* and *Cammerwell* to *New-Cross*,

Croſs, in the Pariſh of *Deptford*, in the County of *Kent*, being the *Kentiſh* and *Tunbridge* Road, are obliged to pay the Duties and Tolls granted by the ſaid Two recited Acts, and receive little or no Benefit by the Roads on which they paſs and repaſs, notwithſtanding the Payment of the ſaid Duties or Tolls: And whereas the Highways or Roads leading from the ſaid Ferry, as aforeſaid, through the Pariſhes of *Newington* and *Cammerwell* to *New-Croſs*, as aforeſaid (being Four Miles, or thereabouts) are ſo very ruinous, that it is dangerous for all Paſſengers, Horſes, Cattle, Coaches, Waggons, Carts, and other Carriages, to paſs through the ſame during the Winter Seaſon: Therefore for the repairing and amending the ſame, be it enacted by the Authority aforeſaid, That from and after the ſaid Second Day of *May*, One thouſand ſeven hundred and twenty, the Truſtees appointed by

the

the said recited Act for amending the Roads from the City of *London* to the Town of *East Grinstead* in the County of *Sussex*, and to the Towns of *Sutton* and *Kingston* in the County of *Surrey*, shall pay the Sum of One hundred and fifty Pounds Sterling *per Ann.* during the Continuance of the said recited Act, by Four equal quarterly Payments, *viz.* the Second Day of *May*, the Second Day of *August*, the Second Day of *November*, and the Second Day of *February*, into the Hands of the Trustees, or any Five or more of them, hereafter to be appointed for repairing and amending the Highways or Roads leading from *Westminster* Ferry in the Parish of *Lambeth*, in the County of *Surrey*, as aforesaid, unto *New-Cross* in the Parish of *Deptford*, in the County of *Kent*, as aforesaid; and that the said Sum of One hundred and fifty Pounds, to be paid yearly by the said Trustees aforesaid, and

to

to be applied as aforeſaid, ſhall be paid out of the Monies ariſing by the Duties or Tolls granted by the ſaid recited Act, before ſuch Time as the ſaid Monies ariſing thereby ſhall be divided, applied, or diſpoſed of to any other Uſes or Purpoſes whatſoever, or any ways made applicable by the ſaid recited Act; any thing to the contrary notwithſtanding.

150 *l.* yearly to be paid for the ſame Roads by the Truſtees of the other Act.

And be it further enacted by the Authority aforeſaid, That from and after the ſaid Second Day of *May*, One thouſand ſeven hundred and twenty, the Truſtees appointed by the ſaid recited Act for repairing the Highways leading from the *Stones End* in *Kent-Street* in the Pariſh of St. *George's Southwark* in the County of *Surrey*, to the *Lime-Kilns* in *Eaſt-Greenwich* near *Black-Heath*, and to *Lewiſham* Church (being the *Tunbridge* Road) in the County of *Kent*, ſhall pay the Sum of One hundred and fifty

Pounds Sterling *per Ann.* during the Continuance of the ſaid recited Act, or this preſent Act, by Four equal quarterly Payments, *viz.* the Second Day of *May*, the Second Day of *Auguſt*, the Second Day of *November*, and the Second Day of *February*, into the Hands of the Truſtees, or any Five or more of them, hereafter to be appointed for repairing and amending the High-ways or Roads leading from *Weſtminſter* Ferry in the Pariſh of *Lambeth*, in the County of *Surrey*, unto *New-Croſs* in the Pariſh of *Deptford*, in the County of *Kent*, and that the ſaid Sum of One hundred and fifty Pounds, to be paid yearly by the ſaid Truſtees as aforeſaid, and to be applied, as aforeſaid, ſhall be paid out of the Monies ariſing by the Duties or Tolls granted by the ſaid recited Act, or to be granted by this preſent Act, before ſuch Time as the ſaid Monies ariſing thereby ſhall be applied and diſpoſed of, or

any

any ways made applicable by the ſaid recited Act, or by this preſent Act; any thing to the contrary notwithſtanding.

Truſtees for the Road from *Weſtminſter* Ferry to *New-Croſs.*

And that for the better improving, ordering, and keeping in Repair the ſaid Highways or Roads leading from *Weſtminſter* Ferry, in the Pariſh of *Lambeth*, as aforeſaid, through *Newington* and *Cammerwell*, to *New-Croſs*, as aforeſaid, it ſhall be in the Power of the Right Honourable *Thomas* Lord *Trevor*, the Honourable *John Fane*, the Honourable *Dixey Windſor*, the Honourable *Andrews Windſor*, the Honourable *Thomas Trevor*, the Honourable *John Trevor*, Sir *Gregory Page*, Sir *Samuel Lennard*, Sir *William Bowyer*, Baronets; Sir *Charles Cox*, Sir *Alexander Cairnes*, Knights; *Edmond Halſey*, *John Lade*, *Nathaniel Roſſe*, *John Amy*, *Henry Bartellot*, *Henry Corneliſen*, *Peter Cock*, *Cicil Boyer*, *Peter Burret*, *William*

Wright, *Richard Laen*, *John Smith*, *Richard Gee*, *Harry Benson*, *Edward Hodgsden* of *Sydenham* in *Kent*, *Thomas Malyn*, *Henry Hoare*, *Lancelot Tolson*, Esquires; *Icabod Tipping* Doctor in Divinity, the Reverend Mr. *Henry Baron* Clerk, *James Buller*, *Thomas Brown*, *Robert Castell*, *Nicholas Furrs*, *John Wormbey*, *Charles Lodowick*, *William Hanwell*, *John Grub*, *John Cock*, *Roger Peck*, *Thomas Normandy*, *John Landsdell*, *Richard Amory*, *Edward Acton*, *Joseph Windham*, *Benjamin James*, Gentlemen; who are hereby nominated and appointed Truſtees for putting this Part of the Act in Execution; and that they or the Survivors, or any Five or more of them, ſhall and are hereby impowered to receive the ſeveral and reſpective Sums, as aforeſaid, to be imployed in repairing and amending the ſaid Highways or Roads, as aforeſaid, excepting ſo much

much as is now paved by the ſaid Town of *Lambeth.*

And be it further enacted by the Authority aforeſaid, That for continuing a ſufficient Number of fit and able Perſons to be Truſtees, for putting in Execution all and every the Powers and Clauſes in this Act contained, for and during the Continuance thereof, (that is to ſay) ſo much of the ſaid Act which relates to the repairing and amending the ſaid Highways or Roads leading from *Weſtminſter* Ferry in the Pariſh of *Lambeth*, as aforeſaid, unto *New-Croſs* in the Pariſh of *Deptford*, as aforeſaid, it ſhall and may be lawful to and for ſuch of them, the ſaid Truſtees, or any Seven or more of them, upon the Death of any of the ſaid Truſtees, Removal, or Refuſal to act in the ſaid Truſt, by any Writing under their Hands and Seals, from time to time, and at all Times hereafter, during the Conti-

On Death or Removal of Truſtees others to be choſen.

Continuance of this or the aforesaid recited Acts, to elect, nominate, and appoint, in the Room and Stead of such Trustee or Trustees so deceased, removed, or refusing to act, so many more fit and able Person or Persons, living within the said Counties of *Kent* and *Surrey*, to be joined with them in the Execution of all and every the said Powers and Trusts in them reposed, by Virtue, and in Pursuance of this Act; and all and every Person or Persons, so to be chosen, to join to put in Execution this Part of the Act, which extends to repairing the said Highways or Roads leading from *Westminster* Ferry to *New-Cross* aforesaid, shall and may, and are hereby impowered to act and do, to all Intents and Purposes, in as full, large, and ample Manner, as the said Trustees are by this Act impowered to act and do.

And be it further enacted by the Authority aforesaid, That all the

the Powers, Privileges, and Authorities, Penalties, Forfeitures, Clauſes, Matters, and Things, contained in the ſaid Two recited Acts, or in this preſent Act, ſhall extend and be taken and conſtrued to extend unto the ſaid Truſtees appointed or hereafter to be appointed by this Act, with full Power and Authority for putting the ſame in Execution for repairing the ſaid Highways or Roads leading from *Weſtminſter* Ferry, as aforeſaid, unto *New-Croſs*, as aforeſaid, as if the ſame had been re-enacted in this preſent Act.

Truſtees appointed by this Act, to have the ſame Power as the former.

And whereas an Act paſſed in the Fourth Year of His preſent Majeſty's Reign, intituled, *An Act for amending the Roads from the City of* London *to the Town of* Eaſt-Grinſtead *in the County of* Suſſex, *and to* Sutton *and* Kingſton *in the County of* Surrey, was made to continue from the Five and twentieth Day of *March*, One thouſand ſeven

Continuance of the Act for mending the Roads between *London* and *Eaſt Grinſtead*.

ven hundred and eighteen, for and during the Term of One and twenty Years; And whereas the Truſtees appointed by the ſaid Act have, upon the Credit thereof, for the Purpoſes therein mentioned, laid out and expended in the Reparation of the ſaid Roads, the Sum of Eleven thouſand Pounds, and upwards, over and above all Monies collected at the Turnpikes; which great Expence hath been occaſioned by the extraordinary Ruin of the ſaid Roads, and although great Progreſs hath been made therein, yet the Roads cannot be effectually amended and repaired according to the true Intent and Meaning of the ſaid Act, and the Monies advanced on the Credit thereof be repaid, unleſs the Term thereby granted be enlarged: Be it therefore enacted by the Authority aforeſaid, That the ſaid recited Act, and all the Clauſes, Powers, and Penalties therein contained, ſhall continue, and be in

Force,

Force, and be executed, from and after the Expiration of the aforesaid Term of One and twenty Years, for and during the Term of Two Years from thence next enſuing.

Provided, That if at any Time before the Expiration of the Term granted, the Two reſpective Sums of One hundred and fifty Pounds *per Annum*, for repairing and amending the ſaid Highways or Roads leading from *Weſtminſter* Ferry in the Pariſh of *Lambeth* in the County of *Surrey*, unto *New-Croſs* in the Pariſh of *Deptford* in the County of *Kent*, That in caſe the ſaid Highways or Roads ſhall be ſufficiently amended and repaired, and be ſo adjudged by the Juſtices of the Peace for the ſaid Counties of *Surrey* and *Kent* reſpectively, at the General Quarter-Seſſions to be holden for the ſaid Counties, then and from and after ſuch Adjudication, Judgement, and Determination of the

The two yearly Sums before mentioned when to ceaſe.

the ſaid Juſtices in manner aforeſaid, and after Payment of all ſuch Monies as are or ſhall have been borrowed upon the Credit of this Part of the Act for the Purpoſes aforeſaid, with Intereſt for the ſame, the Payment of the ſaid Two Sums reſpectively ſhall ceaſe and determine; any thing contained in this Act to the contrary notwithſtanding.

Additional Truſtees.

And be it further enacted by the Authority aforeſaid, That Sir *Thomas Wiſeman*, Sir *Thomas Roberts*, Sir *Marmaduke Greſham*, Baronets; *William Barkas*, *Henry Corneliſen*, *John Dyer*, *Joſias Nicholſon*, *Henry Hoare*, *John Amy*, *Harry Benſon*, *Edward Hodgſon* of *Sydenham*, Eſquires; *William Woodford* Doctor of Phyſick, *William Nevill*, *Elfred Staples*, *Joſeph Trulocke*, *Francis Green*, *Nathaniel Moore*, *Roger Peck*, *William Edmonds*, *Samuel Palmer*, *Stephen Style*, *John Marſon*, *Edward Hodſon*, *Thomas Normandy*, *John Neal*, *William*

William Jackſon, *James Butler*, Gentlemen; *William Draper* Eſq; *William Clarke*, *Thomas Fox*, *James Fernall*, *William Angell* junior, Gentlemen; *Manning* of *Chipſton* Gent. *Roger James* Eſq; *Richard Arnold* Eſq; *Samuel Robinſon* Gent. *George Newland* Gent. *John Walter* Eſq; *John Mitchell* Eſq; *Arthur Onſlow* Eſq; *John Green*, *Joſeph Wyeth*, *Peter Cock*, the Bailiff of the Borough of *Eaſt-Grinſtead* for the time being, *Edward Head*, *Edward Bennett*, *John Turner*, *John Pickering*, *John Payne*, *Nathaniel Moore* junior, Gentlemen, ſhall be and are hereby nominated and appointed Truſtees for putting in Execution the aforeſaid Act for amending the Roads from the City of *London* to the Town of *Eaſt-Grinſtead*, in the County of *Suſſex*, and to the Towns of *Sutton* and *Kingſton* in the County of *Surrey*, together with the reſt of the Truſtees nominated and ap-

pointed by the same Act; and shall be and are hereby authorized and impowered to execute all and every the Powers thereby or by this present Act to be granted and allowed, as fully to all Intents and Purposes, as if they had been nominated and appointed in the said last recited Act; and the said Trustees by this and the said recited Act appointed, or any Seven or more of them, shall and may, out of the Duties and Tolls thereby granted, apply any Sum, not exceeding Forty Pounds in any one Year, for repairing the Roads from *Vauxhall Bridge*, by the said Act directed to be amended.

Actions to be laid in *Kent* or *Surrey*.

And be it further enacted by the Authority aforesaid, That if any Suit shall be commenced against any Person or Persons, for any thing done in pursuance of this present Act, or the said former Acts, or either of them, that in every such Case the Actions shall be laid in the said

ſaid Counties of *Kent* or *Surrey*, where the Matter of the Complaint doth ariſe, and not elſewhere; and the Defendant or Defendants, in ſuch Action or Actions to be brought, may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance, and by Authority of the ſaid Act; and if it ſhall happen ſo to be done, or that ſuch Action or Actions be brought in any other County, that then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff ſhall be nonſuited, or diſcontinue his Action, after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgement ſhall be given againſt the Plaintiff, the Defendant or Defendants ſhall and may recover treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath

or

or have in any other Cases by Law.

Publick Act. And be it enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a publick Act; and all Judges and Justices are hereby required to take Notice of the same.

FINIS.

Anno Regni

GEORGII I. Regis

Magn. Britann. Franciæ, & Hiberniæ,

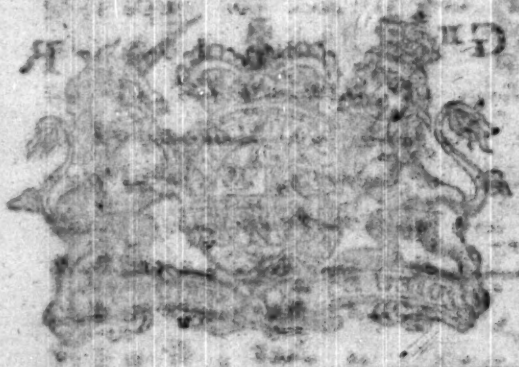
DECIMO.

At the Parliament begun and holden at *Weſtminſter*, the Ninth Day of *October*, *Anno Dom.* 1722. in the Ninth Year of the Reign of our Sovereign Lord *GEORGE* I. by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c.

And from thence continued by ſeveral Prorogations to the Ninth Day of *January*, 1723. Being the Second Seſſion of this preſent Parliament.

LONDON,
Printed by *John Baskett*, Printer to the King's moſt Excellent Majeſty. 1737.

GEORGIUS III. Rex



LONDON:

Printed by John Baskett, Printer to the
King's most Excellent Majesty. 1737.

Anno decimo

GEORGII I. Regis.

An Act for amending the Roads from the Stones End in Southwark *to* Highgate, *at the Entrance of* Ashdown *Forest in the Parish of* East-Grinstead, *in the County of* Sussex, *and from* Kingston *to* Burton-Common, *and also the Lane leading from* Wood-Hatch *to* Sidlow-Mill, *and the Lanes called* Horsehills, Bonehurst *alias* Boners, *and* Peteridge *Lanes, in the County of* Surrey, *by enlarging the Terms granted by Two former Acts, One of the Fourth, and the other of the*

Preamble.

WHEREAS an Act passed in the Fourth Year of His Majesty's Reign [intituled, *An Act for amending the Roads from the City of* London *to the Town of* East-Grinstead, *in the County of* Sussex; *and to* Sutton *and* Kingston *in the County of* Surrey] was made to continue from the Five and twentieth Day of *March*, One thousand seven hundred and eighteen, for and during the Term of One and twenty Years; which Term, by One other Act, made and passed in the Sixth Year of His Majesty's Reign, was enlarged, and the said recited Act, and all the Clauses, Powers, and Penalties therein contained, were enacted to continue and be in Force, and to be executed from and after the Expiration of the aforesaid Term of One and twenty Years, for and during

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ing the Term of Two Years from thence next enſuing: And whereas that Part of the ſaid Road, that lies between the Town of *Godſtone*, in the County of *Surrey*, and *Eaſt-Grinſtead*, was, at the time of making and paſſing the ſaid firſt recited Act, in ſo very ruinous a Condition, that for a great Part of the Year the ſame was not paſſable for any Wheel Carriages, and very dangerous for all Paſſengers uſing the ſame, but by the Aid and Aſſiſtance of the Tolls and Duties ariſing from the Turnpike erected by the ſame Act, the greateſt Part of the ſaid Road is ſo well amended, that it is now become very commodious and beneficial for all ſorts of Carriages and Paſſengers; but Four Miles, or thereabouts, of the ſaid Road is ſtill in the ſame ruinous Condition it was at the paſſing the ſaid Act, and cannot in many Years be repaired and amended by the annual Profits ariſing by the ſaid Toll, without

ſome further Aid and Aſſiſtance be given by Parliament for raiſing a Sum of Money to be laid out for the preſent Amendment thereof: And whereas alſo Two Miles of the great Road into *Suſſex*, leading from *Eaſt-Grinſtead* to *Highgate*, at the Entrance into *Aſhdown* Foreſt in the ſaid Pariſh of *Eaſt-Grinſtead*, is in ſo very ruinous a Condition, that it is alſo become dangerous to Paſſengers, and the Inhabitants of the ſaid Pariſh have lately raiſed among themſelves great Sums of Money for repairing that Part of the ſaid Road, and alſo duly performed their Statute Work, and yet the ſame ſtill remains in a very ruinous Condition, and cannot be amended without further Aid and Aſſiſtance: And whereas alſo ſeveral Parts of the Road between the ſaid Town of *Kingſton* and *Burton-Common*, about a Mile beyond *Ripley*, in the Road to *Guildford*, and alſo the Road leading from

the

the Borough of *Wood-Hatch*, in the Parish of *Ryegate*, by *Salmon's-Cross* to *Sidlow-Mill* in the said Parish, and the Lanes called *Horse-hills*, and *Bonehurst*, *alias Boners*, and *Peteridge* Lane, in the Parish of *Horley*, in the said County of *Surrey*, are in so ruinous a Condition, that they are become very dangerous to all Passengers, and cannot be rendered passable without further Aid and Assistance: To the End therefore that the Repairs of the said Road, directed to be amended by the said former Acts, may be compleated, and the said Roads may effectually be repaired and amended; May it please Your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act

An additional Term of 21 Years granted to the Act 4 *Geo* I. for the Uſes of this Act.

of the Fourth Year of His preſent Majeſty's Reign, and all Clauſes, Powers, and Penalties therein contained, for erecting One or more Gate or Gates, Turnpike or Turnpikes, and collecting of the Tolls or Duties thereby appointed to be paid for paſſing through the ſame, and all the Authorities, Powers, Penalties, and Forfeitures, for levying, ſecuring, and accounting for the Tolls and Duties thereby and by this Act granted, and every Article, Rule, Clauſe, Matter, and Thing therein contained (not hereby altered, explained, or otherwiſe enacted) ſhall continue and be in force, and ſhall be extended, and conſtrued, and taken to extend to the ſeveral Roads by this Act directed to be repaired and amended, for and during the Terms thereby granted, and alſo ſhall be continued and be executed from and after the Expiration of the aforeſaid Terms of One and twenty Years, and Two Years, for and during

ing the Term of Twenty one Years from thence next enſuing, for the Intents and Purpoſes herein after mentioned (that is to ſay) That the Monies to be raiſed by ſuch Additional Term ſhall be veſted in Truſtees for amending and repairing the ſaid Roads, and for ſecuring the Repayment of all ſuch Sum and Sums of Money, as ſhall be borrowed, advanced, or lent upon the Credit of this preſent Act, together with the Charges and Expences of paſſing the ſame.

Truſtees appointed.

And be it further enacted by the Authority aforeſaid, That the Truſtees nominated and appointed by the ſaid firſt recited Act, and alſo the Truſtees nominated and appointed by the ſaid Act of the Sixth Year of His Majeſty's Reign for putting in Execution the ſame Act, and alſo Sir *William Gage*, Sir *Thomas Wiſeman*, Sir *Marmaduke Greſham*, Baronets; Sir *James Clark*, Knight; *William Nevil*,

Edward Nicholas, *Michael Harvey*, *John Ward* of *Hackney*, *Elfred Staples*, *Henry Bridges*, *Richard Wyatt*, *John Shelley*, *Byſhe Shelley*, *John Newnham*, jun. *Edward Conyers*, *William Draper*, *Thomas Stephens*, *Thomas Malyn*, *Smith Meggot*, *Joſeph Ferrers*, *Abraham Shard*, *Iſaac Peccatus Shard*, Eſquires; the Bailiff of the Borough of *Eaſt-Grinſtead* for the time being, *Charles Malyn*, *Thomas Engier*, *Samuel Forth*, *Francis Morgan*, *Thomas Blowen*, *John Copeland*, *Richard Marten*, *Samuel Kent*, *Thomas Hucks*, *William Robinſon*, *Matthew Ryall*, *Thomas Scoles*, jun. *Joſeph Truelock*, *Francis Green*, *Nathaniel Moor*, *Edward Head*, *Edward Bennet*, *John Pickering*, *Nathaniel Moor*, jun. *John Payne*, *John Smith*, Gentlemen; the Right Honourable Sir *Peter King*, Knight, Lord Chief Juſtice of His Majeſty's Court of Common Pleas; Sir *John*

Evelyn, Baronet; Sir *Moore Molineux*, Knight; the Honourable *John Finch*, the Honourable *Allan Broderick*, *James Oglethorpe*, *Peter Burrel*, *Charles Selwyn*, *Richard Onſlow*, *Richard Cliſton*, *Anthony Allen*, *Robert Yard*, *John King*, *Richard Lockwood*, *Henry Vincent*, *William Vincent*, *John Johnſon*, *John Tournay*, *Abel Walter*, *James Fox*, *John Ward*, *John Palmer*, *Joſeph Gaſcoigne*, *William Watkins*, *Thomas Woodford*, *Vigerus Edwards*, Eſquires; *John Hoadley*, D. D. the Mayor and Magiſtrates of the Town of *Guildford* for the time being, *John Steere*, *Henry Pawley*, *Thomas Lee*, *Richard Lee*, *Richard Ford*, jun. *Arthur Wight*, *William Tisberry*, *Robert Porter*, *John Champion*, Gentlemen; the Right Honourable *Arthur* Lord Viſcount *Irwin*, Sir *Philip Yorke* Knight; *Humphry Parſons*, *Edward Budgen*, *James Budgen*, *George Ballad*, jun. *Thomas*

mas Jordan, *Fleetwood*, *Charles Dominique*, *Richard Ladbrook*, *John Ward*, *James Cocks*, the Honourable *Henry Ingram*, *Charles Eversfield*, *Charles Chamberlain Rebow*, *Samuel Blunt*, *Thomas Scawen*, *Edward Cowper*, *Samuel Blunt*, jun. *Thomas Lintott*, *John Wicker*, Esquires; the Reverend Master *Samuel Billingsley*, Arch-Deacon of *Surrey*, the Reverend *Robert Rawlinson*, Clerk; the Reverend Doctor *Morse*, *Theobald Mitchel*, Master *John Staples*, Master *Mills*, and *Richard Younger*, Clerks; *John Budgen*, *John Brown*, M. D. *Thomas Peyto*, *John Cherrington*, *John Castleman*, *Thomas Thurland*, *Richard Thurland*, Captain *Devan*, *William Huggit*, *John Marshal*, *Haddock*, *Thomas Sanders*, sen. *Thomas Sanders*, jun. *William Shove*, *Henry Shove*, *William Luchins*, *Ralph Blank*, *John Smith*, *Daniel Rawlinson*, *John*

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Turnour, *Edward Scott*, *Henry Gale*, *Edward Roffey*, *James Martin*, *Stephen Dungate*, *John Lucas*, *Richard Noden*, *James Baker*, Gentlemen; Sir *Marmaduke Gresham*, Baronet; *William Hoskins*, jun. *William Pellat*, *John Baines*, *Walter Baines*, *John Angell*, Eſquires; *John Hind*, *William Streatfield*, *Micklethwaite*, ſen. *Micklethwaite*, jun. *William Buckle* of *Croydon*, Gentlemen; the Reverend Maſter *Griffith*, and the Reverend Maſter *Jones*, ſhall be and are hereby nominated and appointed Truſtees for putting in Execution this preſent Act; and they or any Seven or more of them, ſhall be and are hereby authorized and impowered to execute all and every the Powers granted by the ſaid recited Acts, or this preſent Act, as fully and effectually, as if the ſame were at large expreſſed, repeated, and re-enacted in the Body of this preſent Act; any thing in this

this Act, or the ſaid recited Acts, or either of them, to the contrary thereof in any wiſe notwithſtanding.

Surveyors Power to dig Gravel, &c.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Surveyor or Surveyors, appointed by the ſaid Truſtees, or any Seven or more of them, or ſuch Perſon or Perſons as ſhall or may be employed by the ſaid Surveyor or Surveyors, to dig, take, and carry away any Gravel, Stone, or Sand, out of any Waſte Ground or Common, within the ſeveral Pariſhes wherein the ſaid Roads do lie; without paying any thing for the ſame; and if there be not ſufficient of ſuch Materials for Amendment in any Common or Waſte Ground there, to dig, gather, and carry away the ſame out of the ſeveral Grounds of any Perſon or Perſons (not being a Park, Garden, Orchard, Yard, or Meadow, planted Walk or Walks, or

Avenue

Avenue to a Houſe) where any ſuch Materials are or may be found, and from time to time to carry away ſuch and ſo much thereof as the Surveyors ſhall find neceſſary for the repairing the ſaid Roads, without paying any thing for ſuch Materials, ſave only ſuch reaſonable Satisfaction to the Owner or Occupier of the Ground, for the Damage he or they ſhall ſuſtain thereby, as ſhall be agreed on between them; and in caſe any Difference ſhall happen concerning the ſame, ſuch Damage ſhall be aſſeſſed and adjudged by the Juſtices of the Peace at their next Special Seſſions to be holden in that Diviſion, from whence ſuch Materials were digged, gathered, and carried away.

Truſtees may elect new ones inſtead of Perſons deceaſed, removed, or refuſing to act.

And be it further enacted by the Authority aforeſaid, That for the continuing of a ſufficient Number of fit and able Perſons to be Truſtees, for putting in Execution all and every the Powers and Authorities

rities in this Act, or the before mentioned Acts contained, for and during the Continuance of the same, it shall and may be lawful to and for the said Trustees, or any Fifteen or more of them, upon the Death of any of the Trustees, herein before mentioned, or upon their Removal, or Refusal to act in the said Trust, by any Writing under their Hands and Seals, from time to time, and at all Times hereafter, during the Terms hereby, or by the said former Acts, or either of them, granted, to elect, nominate, and appoint, in the room of such Trustee or Trustees, so deceased, removed, or refusing to act, so many more fit and able Persons, of the Counties of *Sussex* and *Surrey*, to be joined with the said Trustees, by this Act appointed, in the Execution of all and every the Powers and Trusts in them reposed, by Virtue of this present, or the said recited Acts, or either of them, to

all

all Intents and Purposes, in as full, large, and ample Manner, as the Truſtees hereby nominated and appointed are impowered to act and to do, and ſo *toties quoties*, as often as Occaſion ſhall be or require, Notice being given in the *London Gazette*, of the Time and Place of the Meeting of the Truſtees, for ſuch Election, by the Space of Ten Days before ſuch Meeting.

Truſtees may aſſign over the Toll as a Security for Money borrowed.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Fifteen or more of them, and they are hereby authorized and impowered, from time to time, by Writing under their Hands and Seals, to aſſign the ſaid Toll and Duty, hereby granted, and to commence from and after the Expiration of the ſaid ſeveral Terms of One and twenty Years, and Two Years, for any Term during the Continuance of this Act, or for any Part of ſuch Term, as a Security for

for any Sum or Sums of Money to be borrowed, advanced, and lent, for repairing the ſaid Roads, hereby directed to be repaired and amended, and to ſecure the Repayment thereof, with Intereſt, at and after the Rate of Five Pounds *per Centum per Annum*; which Money ſo borrowed ſhall be applied and diſpoſed of to and for the Uſes and Purpoſes herein after mentioned, and to no other Uſe or Purpoſe whatſoever.

How the Intereſt of the Money borrowed on this Act ſhall be ſecured till the Term hereby granted commenceth.

And be it further enacted by the Authority aforeſaid, That for the ſecuring the Payment of the Intereſt of all Monies to be borrowed by Virtue of this Act, until the Term hereby granted ſhall take effect and commence in Poſſeſſion, It ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, to deduct out of the reſpective Proportions, by the ſaid firſt recited Act, allotted to be paid out of the Tolls and Duties thereby ariſing

ariſing for repairing and amending the ſaid Roads, ſo much Money yearly, and every Year, as ſhall be ſufficient to pay the Intereſt of the Monies to be borrowed by Virtue of this Act; and from time to time to pay, or cauſe to be paid, to ſuch Perſon or Perſons, who ſhall advance and lend the ſame, ſuch Intereſt-Money Half-yearly, by even and equal Portions, until the Commencement of the Term hereby granted, and after the ſame ſhall commence, then to apply the whole Profits ariſing by the Tolls and Duties hereby granted, for the ſaid additional Term, for Payment of the Principal Money borrowed upon ſuch Security, together with ſuch Intereſt as ſhall accrue or grow due for the ſame, after the Commencement of the ſaid Term.

And whereas ſeveral Sums of Money have been heretofore advanced and lent upon the Security of the Tolls and Duties granted by

the ſaid recited Acts, or either of them, and for which the ſame Tolls and Duties are made a Security for Repayment thereof, with Intereſt, by the Powers and Authorities given to the Truſtees, or any Fifteen or more of them, appointed to put the ſame Acts in Execution, which Monies ſtill remain due and unpaid: Now to the end ſuch Security for any Money borrowed thereupon may not be leſſened or impaired by any Thing in this preſent Act contained, It is hereby declared and enacted, That all the Monies that have been borrowed for amending the ſaid Roads, or any of them, by the ſaid recited Acts, or either of them, appointed to be repaired and amended, together with the Intereſt thereof, ſhall be in the next Place duly paid and ſatisfied out of the ſame Tolls and Duties; and that all the Profits ariſing from the ſame by virtue of the ſaid recited Acts, or either of them, ſhall, from time to

How the Monies borrowed by the other Acts ſhall be paid.

time, during the Continuance of the same Acts, be applied to and for the Payment and Discharge thereof, any Thing in this present Act contained to the contrary thereof in any wise notwithstanding.

Justices of *Sussex* and *Surrey* may appoint a Surveyor.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Justices of the Peace, at any of their respective Quarter-Sessions, to be holden for the said respective Counties yearly, and every Year, if they think fit, to appoint One or more fit Person or Persons, of the said respective Counties of *Sussex* and *Surrey*, to survey and view the said ruinous Roads, by this Act appointed to be amended; and in case such Person or Persons, so appointed, shall find any Misapplication of the Monies borrowed in pursuance of this Act, or any other Abuses of the Power and Authority hereby given and enacted, such Person or Persons shall thereupon cer-

tify the same to the Justices of the Peace, at their General Quarter-Sessions, to be held for the said Counties respectively, who are hereby authorized, impowered, and required to hear, examine, and finally determine the same, without further or other Appeal.

How the Money to be borrowed shall be applied on each Road.

And whereas the several Roads, before mentioned, are intended by this Act to be repaired and amended at one and the same time, for the greater Ease of Persons passing and repassing the same, Be it therefore enacted by the Authority aforesaid, That the Monies to be borrowed by Virtue of this Act (not exceeding the Sum of Nine thousand Pounds) shall be applied, on each respective Road to be amended, as followeth; That is to say, Two thousand five hundred Pounds in repairing and amending the Roads from *Croydon* to *Highgate*, aforesaid; Two thousand Pounds for repairing and amending the Roads aforementioned,

from *Kingſton* upon *Thames* to *Burton-Common*; and Two thouſand Pounds in repairing and amending the aforementioned Lane from the Borough of *Wood-Hatch*, by *Salmon's-Croſs*, to *Sidlow-Mill*, in the Pariſh of *Ryegate*, and *Horſe-hills-Lane*, and *Bonehurſt*, *alias Boners*, and *Peteridge* Lanes, in the Pariſh of *Horley*; and Two thouſand five hundred Pounds, the remaining Part of the ſaid Nine thouſand Pounds, for repairing and amending the Roads from the Stones End, to *Croydon*, *Kingſton*, and *Sutton*, reſpectively, in ſuch Manner, and ſuch Proportions, as the Truſtees aforeſaid, or any Nine of them, ſhall think meet and proper.

And to the End the Roads aforementioned may be repaired and amended with all convenient Speed, Be it further enacted by the Authority aforeſaid, That the Truſtees aforeſaid, or any Fifteen of them reſpectively, ſhall meet together,

Truſtees to meet at the Town-Hall in *Southwark* on 4 *June*, 1724. and yearly on the firſt *Thurſday* in *June*, for borrowing Money.

upon the Fourth Day of *June*, One thouſand ſeven hundred and twenty four, at the Town Hall of the Borough of *Southwark*, in the ſaid County of *Surrey*; and afterwards ſhall meet at the ſame Place, at any Time or Times they ſhall think proper to adjourn to, and ſo every Year upon the Firſt *Thurſday* in *June*, and adjourn, as aforeſaid; which ſaid Meetings ſhall be for the borrowing the ſaid Sum of Nine thouſand Pounds, but ſo, that no more than Four thouſand five hundred Pounds ſhall be borrowed the Firſt Year, and the Sum ſo borrowed the Firſt Year, to be applied in the Manner following; That is to ſay, One thouſand two hundred and Fifty Pounds, Part of the ſaid Four thouſand five hundred Pounds, borrowed the Firſt Year, by Virtue of this Act, ſhall be applied for repairing and amending the Roads from *Croydon* to *Highgate*, aforeſaid; One thouſand Pounds, borrowed,

The Application of the Money borrowed.

rowed, as aforeſaid, ſhall be applied for repairing and amending the Roads from *Kingſton* upon *Thames*, to *Burton-Common*, aforeſaid; and One thouſand Pounds, borrowed, as aforeſaid, ſhall be applied for the repairing and amending the Lane from the Borough of *Wood-Hatch*, by *Salmon's-Croſs*, to *Sidlow-Mill* in the Pariſh of *Ryegate*, and *Horſe-hills-Lane*, and *Bonehurſt*, *alias Boners*, and *Peteridge* Lanes, in the Pariſh of *Horley* aforeſaid; and the remaining One thouſand two hundred and fifty Pounds, borrowed, as aforeſaid, for repairing and amending the Roads from the Stones End, to *Croydon*, *Kingſton*, and *Sutton*, reſpectively, as aforeſaid; which ſaid Diſpoſition and Courſe of applying the Monies ſo borrowed, ſhall be obſerved by the ſaid Truſtees, in borrowing, raiſing, and diſpoſing of the remaining Four thouſand five hundred Pounds, Part of the ſaid Nine thouſand Pounds;

which ſaid ſeveral Sums of Money ſhall be paid in the Manner following; that is to ſay, the Proportion for the Roads between *Croydon* and *Highgate*, aforeſaid, ſhall be paid into the Hands of ſuch Perſon or Perſons, as ſhall be nominated and appointed by any Writing or Writings under the Hands and Seals of the Right Honourable *Spencer Compton* Eſq; Speaker of the Honourable Houſe of Commons, the Honourable *Henry Pelham* Eſq; Sir *Nicholas Carew*, Sir *Samuel Lennard*, Sir *William Gage*, Sir *Thomas Wiſeman*, Sir *Marmaduke Greſham*, Barts. *William Vevil*, *Elfred Staples*, *John Ward* of *Hackney*, *William Draper*, *Richard Wyatt*, *John Shelley*, *Byſhe Shelley*, *John Newnham*, jun. *Edward Conyers*, *John Lade*, *William Clayton*, *George Evelyn*, *John Dewey*, *William Parker*, *John Claxton*, *Charles Hoskins*, *William Hoskins*, *James Butler*, *Edward Evelyn*, *William Evelyn*,

The Perſons in whoſe Hands the Money is to be diſpoſed.

Evelyn, *John Sylliard*, *Thomas Spence*, *John Conyers*, *Henry Pelham*, jun. *Thomas Weſtern*, *George Naylor*, *Francis Wyatt*, *Charles Goodwin*, *Leonard Gale*, *John Newnham*, *Richard Shelley*, *Humphry Fowle*, *Thomas Medley*, *William Pellat*, *John Apſley*, *Thomas Pelham*, *Joſeph Ferrers*, *John Trevor*, and *Thomas Trevor*, Eſquires; the Bailiff of the Borough of *Eaſt-Grinſtead* for the time being; *Ambroſe Parker*, *John Parker*, ſen. *Richard Still*, *Benjamin Fawkner*, *Thomas James*, *Henry Johnſon*, *Joſeph Cooke*, *Lawrence Parker*, *Ralph Drake*, *Joſeph Truelock*, *Francis Green*, *Nathaniel Moore*, *Edward Head*, *Edward Bennet*, *John Pickering*, *John Payne*, *Nathaniel Moore*, jun. *Edward Harvey*, Gentlemen, and *John Staples*, Clerk, or any Seven or more of them: The Proportion for the Roads between *Kingſton* and *Burton-Common* aforeſaid, ſhall be paid

paid into the Hands of ſuch Perſon or Perſons, who ſhall be appointed to receive the ſame, by any Writing or Writings under the Hands and Seals of the Honourable *John Finch* Eſq; Sir *Moore Molineux* Knt. *John Walter*, *Thomas Brodrick*, *Allan Brodrick*, *Edward Nicholas*, *Arthur Onſlow*, *James Oglethorpe*, *Peter Burrell*, *William Hatton*, *Samuel Whincop*, *William Watkins*, *Joſeph Gaſcoigne*, *Richard Onſlow*, *John King*, *Abel Walter*, *James Fox*, *John Ward*, *Thomas Woodford*, *Robert Yard*, *Anthony Allen*, *Richard Clifton*, *Leonard Child*, *John Palmer*, *Richard Lockwood*, *John Johnſon*, *Vigerus Edwards*, Eſquires; the Mayor and Magiſtrates of the Town of *Guildford* for the Time being; *Arthur Wight*, *Henry Pawley*, *John Steere*, *Thomas Lee*, *Richard Lee*, *Richard Ford*, jun. *William Tisbury*, *Robert Porter*, and *John Champion*, Gentlemen; or any Seven or more

of

of them: The Proportion for the repairing and amending the Lane from the Borough of *Wood-Hatch* by *Salmon's-Croſs*, to *Sidlow-Mill* in the Pariſh of *Ryegate*, and *Horſehills-Lane*, and *Bonehurſt*, *alias Boners*, and *Peteridge* Lane, in the Pariſh of *Horley* aforeſaid, ſhall be paid into the Hands of ſuch Perſon or Perſons, as ſhall be nominated and appointed by any Writing or Writings under the Hands and Seals of the Right Honourable *Arthur* Lord Viſcount *Irwin*, the Right Honourable Sir *Joſeph Jekyll* Knt. Maſter of the Rolls; *Humphry Parſons*, *Edward Budgen*, *James Budgen*, *George Ballard*, ſen. *Thomas Jordan*, *James Cocks*, *Fleetwood*, *Charles Docminique*, *Richard Lodbrook*, the Honourable *Henry Ingram*, *Charles Eversfield*, *Thomas Seawen*, *Paul Docminique*, *William Newland*, *Edward Thurland*, *Turgis Newland*, *Ambroſe Browne*, *Roger*

Roger James, *William Pellat*, *Leonard Gale*, *Henry Gale*, *John Wicker*, *Samuel Blunt*, *Edward Cooper*, *Samuel Blunt*, jun. *Thomas Lintott*, *Craven Peyton*, *Charles Noden*, *Chriſtopher Buckle*, *Richard Thurland*, *Thomas Thurland*, Eſquires; *John Budgen* Doctor of Phyſick, the Reverend Maſter *Samuel Billingſley* Archdeacon of *Surrey*, the Reverend Dr. *Morſe*, *John Brown* Doctor of Phyſick, *Daniel Rawlinſon*, *John Turner*, *Joſeph Cook*, *Ralph Drake*, *James Baker*, *George Newland*, *John Far*, *Stephen Dungate*, and *Anthony Anſcombe*, Gentlemen; or any Seven or more of them: And the Proportion for the Roads from the Stones End to *Croydon*, *Kingſton*, and *Sutton*, ſhall be paid into the Hands of ſuch Perſon or Perſons, whom the Truſtees, nominated and appointed by the ſaid former Acts, or this preſent Act, under the Hands and Seals of any Seven or more

more of them, ſhall nominate and appoint to receive the ſame; that is to ſay, The Truſtees for directing the Receipt of the Proportion allotted for repairing the Highways from *Croydon* to *Highgate*, ſhall meet at the *Crown-Inn* in *East-Grinſtead*; The Truſtees for directing the Receipt of the Proportion allotted for repairing of the Highways between *Kingſton* upon *Thames* and *Burton-Common*, as aforeſaid, ſhall meet at the *Talbot-Inn* in *Ripley* aforeſaid; The Truſtees for directing the Receipt of the Proportion allotted for repairing of the Roads, being the Lanes from the Borough of *Wood-Hatch* by *Salmon's-Graſs*, to *Sidlow-Mill*, in the Parish of *Ryegate*, and *Horſe-hills-Lane*, and *Boneburſt*, *alias Bowers*, and *Peteridge* Lane, in the Parish of *Horley* aforeſaid, ſhall meet at the Market-Houſe in *Ryegate* aforeſaid; And the Truſtees for directing the Receipt of the Proportion

portion allotted for repairing the Roads from the Stones End to *Croydon*, *Kingston*, and *Sutton* respectively, shall meet at the Town-Hall in *Southwark* aforesaid, who are hereby directed to meet for that Purpose at any time after the said Fourth Day of *June*, One thousand seven hundred and twenty four, and after the First *Thursday* in *June* yearly, and every Year, Ten Days Notice at least being given in the *London Gazette* of such Meeting, and so for any subsequent Meeting for appointing any Receiver or Receivers of the Monies aforesaid.

And whereas the said respective Sums, to be raised upon the Credit of the Tolls and Duties hereby continued before the Fourth Day of *June*, One thousand seven hundred and twenty five, may not then be fully completed: And whereas it may be necessary, for the speedy finishing the Repairs of the Roads before mentioned, that the Sums directed

directed to be raised after the said Fourth Day of *June*, One thousand seven hundred and twenty five, should not be delayed, or the Borrowing the same render'd ineffectual; Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the Trustees aforesaid, and they are hereby authorized and directed to borrow the Sums to be raised or advanced after the said Fourth Day of *June*, One thousand seven hundred and twenty five, notwithstanding the aforesaid Sums to be raised before the said Fourth Day of *June*, One thousand seven hundred and twenty five, are not fully completed and advanced, so as the Repayment of the said Sums directed to be borrowed before the said Fourth Day of *June*, One thousand seven hundred and twenty five, shall not be postponed to the Repayment of the several Sums to be borrowed after the said Fourth Day of *June*, One thousand

Trustees may borrow the Money to be raised after 4 *June*, 1725. though the Sums to be raised before be not fully completed, but the first Borrowing to be repaid in the first Place.

thouſand ſeven hundred and twenty five, but the ſame ſhall be repaid in the firſt Place, notwithſtanding the borrowing of the ſame ſhall happen to be, after the borrowing of the ſaid other Sums, to be raiſed and advanced after the ſaid Fourth Day of *June*, One thouſand ſeven hundred and twenty five.

How the Duties ſhall be applied after the 9,000*l.* is repaid.

Provided always, That if at any time before the Expiration of the Term granted by this preſent Act, the Sum of Nine thouſand Pounds aforeſaid, to be borrowed by virtue of the ſame, ſhall be fully repaid, with all Intereſt due thereupon, and the Coſts and Charges thereof, the aforeſaid Tolls and Duties, granted by this preſent Act, ſhall go and be applied in the Manner following, *videlicet*, One fourth Part in finiſhing the Repairs and Amendment of the Roads from the Stones End to *Croydon*, One fourth Part from *Croydon* to *Highgate* aforeſaid, One fourth Part from the Stones End to *Burton-*

Burton-Common aforesaid, and One fourth Part from the Stones End to *Sutton*, and from the said Borough of *Wood-Hatch* in the Parish of *Ryegate*, to the further End of *Horse-hills-Lane* in the said Parish of *Horley*, and from the Beginning of *Peteridge-Lane* to the further End of *Bonehurst alias Boners Lane* in the Parish of *Horley* aforesaid: Subject nevertheless to be determined and to cease upon an Adjudication by the Justices of the Peace for the said respective Counties of *Surrey* and *Sussex*, wherein the said Roads do lie, at their respective Quarter-Sessions, that the said Roads are well and sufficiently repaired and amended; any thing in this present Act contained to the contrary notwithstanding.

Not to prevent the Payment of the yearly Sum of 100 *l.* and 40 *l.*

Provided nevertheless, That the Payments and Allotments of the said Tolls and Duties hereby directed, shall not be construed to prevent

or obſtruct the Payment of the reſpective yearly Sums of One hundred Pounds, and Forty Pounds herein after directed to be paid, during the Continuance of the ſaid additional Term granted by this Act.

And whereas by the before recited Act, paſſed in the Sixth Year of His preſent Majeſty's Reign, it is enacted, That the Truſtees appointed by the ſaid recited Act, for amending the Roads from the City of *London* to the Town of *Eaſt-Grinſtead* in the County of *Suſſex*, and to the Towns of *Sutton* and *Kingſton* in the County of *Surrey*, ſhall pay the Sum of One hundred and fifty Pounds *Sterling*, *per Annum*, during the Continuance of the therein recited Act, by Four equal quarterly Payments, into the Hands of the Truſtees for repairing and amending the Highways or Roads leading from *Weſtminſter Ferry* in the

the Parish of *Lambeth*, in the County of *Surrey*, unto *New-Cross* in the Parish of *Deptford*, in the County of *Kent*; and that the said Sum of One hundred and fifty Pounds, to be paid yearly by the said Trustees, and to be applied, as aforesaid, shall be paid out of the Monies arising by the Duties or Tolls granted by the said therein recited Act, before such time as the said Monies arising thereby shall be divided, applied, or disposed of to any other Use or Purpose whatsoever, or any ways made applicable by the said recited Act; but the said yearly Sum of One hundred and fifty Pounds is not by express Words payable during the Term granted by the said recited Act, made in the Sixth Year of His present Majesty's Reign, whereby some Doubt may arise whether the Payment of the said Sum of One hundred and fifty Pounds *per Annum* may continue dur-

150 *l. per Annum* shall be paid to the Trustees of the Roads from *Lambeth*, &c. during the Term of the Act 6 *Geo.* 1.

during the enlarged Term by the ſaid recited Act of the Sixth Year of His preſent Majeſty; therefore be it enacted by the Authority aforeſaid, That the ſaid Sum of One hundred and fifty Pounds *per Annum* ſhall be paid and payable, during the Continuance of the ſaid recited Acts of the Fourth and Sixth Years of His preſent Majeſty's Reign, for the amending the Roads from the City of *London* to the Town of *Eaſt-Grinſtead* in the County of *Suſſex*, and to *Sutton* and *Kingſton* in the County of *Surrey*, at ſuch Times, and in ſuch Manner, as the ſame is appointed to be paid by the ſaid recited Act in the Sixth Year of His preſent Majeſty's Reign, during the Term granted by the ſaid recited Act, made in the Fourth Year of His Majeſty's Reign.

and alſo during this Act.

And be it further enacted by the Authority aforeſaid, That from and after

after the Expiration of the Terms granted by the ſaid recited Acts of the Fourth or Sixth Year of His preſent Majeſty, there ſhall continue to be paid and payable the Sum of One hundred Pounds yearly and every Year to the ſaid Truſtees, appointed by the ſaid Act of the Sixth Year of His preſent Majeſty, for repairing and amending the Highways and Roads leading from *Weſtminſter* Ferry in the Pariſh of *Lambeth* in the County of *Surrey*, to *New-Croſs* in the Pariſh of *Deptford*, in the County of *Kent*, during the Continuance of the Term granted by this preſent Act, by ſuch Quarterly Payments, and at ſuch Times, and under the ſame Proviſions and Reſtrictions, as in and by the ſaid recited Act of the Sixth Year of His preſent Majeſty's Reign the ſaid Sum of One hundred and fifty Pounds *per Annum* is made payable, and to be applied and diſ-

posed of to the same Uses and Purposes, as the aforesaid Sum of One hundred and fifty Pounds *per Annum* were applied and disposed of; any thing in this Act, or any other Act or Acts to the contrary notwithstanding.

All Powers in the Acts 4 and 6 *Geo.* 1. to extend to the Trustees for repairing the Roads from the Ferry.

And be it further enacted by the Authority aforesaid, That all the Powers, Privileges, and Authorities, Penalties, Forfeitures, Clauses, Matters, and Things, contained in the said Two recited Acts of the Fourth and Sixth Year of His present Majesty, or either of them, shall extend, and be taken and construed to extend unto the Trustees appointed or hereafter to be appointed in pursuance of the said recited Acts, or either of them, for repairing and amending the Highways or Roads leading from *Westminster* Ferry in the Parish of *Lambeth* in the County of *Surrey* to *New-Cross* in the Parish of *Deptford*,

ford, in the County of *Kent*, with full Power and Authority for putting the ſame in Execution for repairing the ſaid Highways or Roads leading from *Weſtminſter* Ferry, as aforeſaid, unto *New-Croſs*, as aforeſaid, as if the ſame had been re-enacted by this preſent Act.

The Roads from *Vauxhall* Bridge to be amended during this Act.

And be it further enacted, That the Proviſion made by the ſaid recited Acts for amending the Roads from *Vauxhall* Bridge, through *Stockwell*, to the Bottom of *Briſtow Cauſey* Common, and for applying out of the Tolls and Duties ariſing thereby any Sum, not exceeding Forty Pounds in any One Year, for repairing the ſame Roads, ſhall have Continuance, and be practiſed, uſed, and obſerved, for and during the Term granted by this preſent Act.

Truſtees to bear their own Expences.

And be it further enacted by the Authority aforeſaid, That the Truſtees

ſtees appointed to put this Act in Execution, ſhall, at their ſeveral Meetings for that Purpoſe, bear their own Charges and Expences.

Coaches and Paſſengers on Horſeback to paſs Toll-free, at Election for *Surrey* or *Suſſex*.

Provided always, That during the Continuance of the ſaid former Acts, and this preſent Act, all Coaches, and Paſſengers on Horſeback, ſhall paſs and repaſs Toll-free, on the Day or Days on which there ſhall be an Election for a Knight or Knights of the Shire or Shires to ſerve in Parliament for the ſaid Counties of *Surrey* and *Suſſex* reſpectively; any thing therein or herein contained to the contrary notwithſtanding.

And be it further enacted by the Authority aforeſaid, That if any Suit ſhall be commenced againſt any Perſon or Perſons, for any thing done in purſuance of this Act, that in every ſuch Caſe the Action ſhall be laid in ſuch of the ſaid Counties of *Suſſex* and *Surrey* reſpectively, where the Cauſe of Action

tion did ariſe, and not elſewhere; and the Defendant or Defendants, in ſuch Action or Actions to be brought, may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance, and by the Authority of this Act; and if it ſhall appear ſo to be done, or that ſuch Action or Actions ſhall be brought in any other County, that then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff ſhall be nonſuited, or diſcontinue his Action, after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgement ſhall be given againſt the Plaintiff, the Defendant or Defendants ſhall and may recover treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have in other Caſes by Law. General Iſſue.

And

Publick Act.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a publick Act, and be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without special pleading the same.

FINIS.

Anno Regni

GEORGII II. Regis

Magn. Britann. Franciæ, & Hiberniæ,

QUARTO.

At the Parliament begun and holden at *Weſtminſter*, the Twenty third Day of *January*, *Anno Dom.* 1727. in the Firſt Year of the Reign of our Sovereign Lord *GEORGE* II. by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Twenty firſt Day of *January*, 1730. Being the Fourth Seſſion of this preſent Parliament.

LONDON,

Printed by *John Baskett*, Printer to the King's moſt Excellent Majeſty. 1737.

Anno quarto

GEORGII II. Regis.

An Act for the more effectual repairing the Road leading from Godſtone *in the County of* Surrey, *to* Highgate *at the Entrance into* Aſhdown Forreſt *in the Pariſh of* Eaſt-Grinſtead *in the County of* Suſſex.

WHEREAS an Act paſſed in the Fourth Year of the Reign of His late Majeſty King *George* the Firſt [intituled, *An Act for amending the Roads from the City of* London, *to the Town of* Eaſt-Grinſtead *in the* Preamble.

County

County of Sussex, *and to the Towns of* Sutton *and* Kingston, *in the County of* Surrey] and another Act was made and passed in the Sixth Year of His said late Majesty's Reign, for enlarging the Term granted by the said Act of the Fourth Year of His said late Majesty's Reign, and for explaining and amending the same Act: And whereas by another Act passed in the Tenth Year of His said late Majesty's Reign [intituled, *An Act for amending the Roads from the Stones End in* Southwark, *to* Highgate, *at the Entrance of* Alldown Forrest, *in the Parish of* East-Grinstead, *in the County of* Sussex, *and from* Kingston *to* Burton-Common, *as also the Lane leading from* Wood-Hatch *to* Sidlow-Mill, *and the Lanes called* Horse-hills, Bonehurst, alias Boners, *and* Peteridge *Lanes, in the County of* Surrey, *by enlarging the Terms granted by two former Acts, the One of the Fourth,*

Fourth, and the other of the Sixth Year of His late Majeſty's Reign] ſeveral Tolls, Duties, Powers, and Authorities were given and granted to divers Truſtees, in the ſaid ſeveral Acts named, for repairing and amending the Roads in the ſaid reſpective Acts mentioned: And whereas it is neceſſary ſome further Proviſion ſhould be made for raiſing Money towards the repairing the Road, leading from the *White-Hart-Inn* in *Godſtone* Town or Street, in the ſaid County of *Surrey*, to *Highgate*, at the Entrance into *Aſhdown Forreſt* in the County of *Suſſex*: To the end therefore that the ſaid laſt mentioned Road may with all convenient Speed be effectually amended, and from time to time hereafter kept in good and ſufficient Repair for the Accommodation of all Paſſengers; may it pleaſe Your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with

with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That for the more effectual repairing, and better keeping in Repair the ſaid Road, leading from the *White-Hart-Inn* in *Godſtone* Town or Street, to *Highgate*, at the Entrance into *Aſhdown Forreſt* aforeſaid, it ſhall be in the Power of the Truſtees appointed, or to be appointed by the ſaid recited Acts, or any of them, for amending and repairing the Roads, leading from the Stones End in the Borough of *Southwark*, to *Highgate*, at the Entrance into *Aſhdown Forreſt* aforeſaid; and the ſaid Truſtees, or any Seven or more of them, or ſuch Perſon or Perſons as they, or any Seven or more of them, ſhall authorize and appoint, ſhall, and may take, receive, and levy at any Gate or Gates, Turnpike or Turnpikes, already erected, or to be erected,

Truſtees may receive at the Turnpikes the additional Toll.

erected, upon every Part of the ſaid Road hereby intended to be repaired, and not elſewhere, the additional Tolls or Duties following; that is to ſay,

The additional Toll.

For every Horſe, Mule, or Aſs, laden or unladen, and for every Chaiſe, Cart, Dray, or Carriage, drawn by One Horſe only, the Sum of One Peny.

For every Coach, Chariot, or Calaſh, drawn by Two or more Horſes, before they ſhall be permitted to paſs through the ſame, the Sum of Six Pence.

For every Waggon not laden with Hay or Straw, the Sum of Six Pence.

For every Waggon laden with Hay or Straw, the Sum of Three Pence.

For every Cart, Dray, or Carriage laden with Hay or Straw, or other Goods, the Sum of Two Pence.

For every Drove of Oxen or Neat Cattle, the Sum of Eight Pence *per* Score, and ſo in Proportion for every greater or leſſer Number.

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Four Pence *per* Score, and ſo in Proportion for every greater or leſſer Number, as well with reſpect to the Tolls and Duties impoſed by this or the former Acts, or any of them, over and beſides the Tolls and Duties already impoſed or granted by the ſaid former Acts.

Toll how to be levied.

Which ſaid additional Toll or Duty ſhall be taken, received, levied, and recovered, in ſuch Manner, and under ſuch Penalties and Forfeitures, and by ſuch Ways and Means, as the Tolls, Duties, and Penalties granted and impoſed by the ſaid former Acts, have been, and are, and ſhall be taken, received, levied, and recovered; and the Money ſo to be raiſed by the ſaid additional

additional Toll or Duty as aforeſaid, is hereby veſted in the ſaid Truſtees, to be paid, applied, diſpoſed of, or aſſigned to and for the ſeveral Uſes and Purpoſes, and in ſuch Manner as herein after is mentioned; the reaſonable Charges expended, or to be expended, for or by reaſon of paſſing this Act of Parliament, being firſt deducted and paid.

Additional Truſtees.

And be it further enacted by the Authority aforeſaid, That Sir *Thomas Dyke* Baronet, *John Board* Eſquire, *Benjamin Faulconer*, junior, Gentleman, the Reverend Maſter *Alexander Chalmers*, the Reverend Maſter *George Gurnet*, the Reverend *Rowland Bowen*, ſhall be, and they and the Survivors of them, are hereby added to and joined with the Truſtees appointed, or to be appointed, by virtue or in purſuance of any former Act or Acts of Parliament, paſſed for repairing the Roads aforeſaid, and ſhall have the ſame Powers and

Authorities for putting the ſaid former Acts, and this preſent Act in Execution, as if they had been expreſly named in, and appointed by the ſaid former Acts.

Truſtees may elect Collectors and Surveyors,

And be it further enacted by the Authority aforeſaid, That the Truſtees appointed or to be appointed to put this Act in Execution, or any Seven or more of them, by Writing under their Hands and Seals, ſhall and may, from time to time, chooſe and appoint One or more fit Perſons to be Receivers or Collectors of ſuch additional Toll or Duty, as ſhall be payable by virtue of this Act, and alſo One or more fit Perſons to be Surveyors, to ſee the Money raiſed, or to be raiſed and expended by virtue of this Act duly applied; and they are hereby required to pay the ſame unto the ſaid Collectors or Receivers of the additional Toll, in that Behalf from time to time to be appointed after the additional Rates aforeſaid;

aforesaid; and the Persons, Receivers, or Collectors so appointed for receiving of the said additional Toll, and also such Surveyors (if thereunto required by the said Trustees, or any Seven or more of them respectively) shall, upon Oath, before One or more Justice or Justices of the Peace of the Counties of *Surrey* or *Sussex*, inhabiting near the Road hereby intended to be repaired, as the said Trustees, or any Seven or more of them, shall, or may from time to time, under their Hands and Seals, direct (which Oath such Justice and Justices is, and are hereby impowered and required to administer *gratis*) on the First *Tuesday* in every Month, during the Continuance of this present Act, give in a true, exact, and perfect Account in Writing under their respective Hands, of all Monies which he, they, every, or any of them shall to such Time have received, paid, and

who are to account on Oath.

disburſed by virtue of this Act, by reaſon of their ſaid reſpective Offices; and in caſe any Overplus-Money ſo received ſhall remain in their, or either, or any of their Hands, ſhall pay the ſame to the ſaid Truſtees, or any Seven or more of them, or to ſuch Perſon or Perſons as they, or any Seven or more of them ſhall, by any Writing or Writings under their Hands and Seals, authorize and appoint to receive the ſame, to be disburſed and laid out in amending the Road, by this Act directed to be repaired, according to the true Meaning of this and the former Acts, and not otherwiſe; which ſaid Truſtees, or any Seven or more of them, to whom ſuch Account ſhall be given, ſhall or may, out of the Money ariſing by the ſaid additional Toll, make ſuch Allowances unto the ſaid Surveyors and Collectors, for and in conſideration of their Care and Pains taken in Execution of their

ſaid

ſaid reſpective Offices, and to ſuch other Perſon or Perſons, who have been, or ſhall be aſſiſting in and about procuring the ſaid Road to be amended, as aforeſaid, by advancing and laying out any Monies, or otherwiſe relating thereunto, as to the ſaid Truſtees, or any Seven or more of them ſhall ſeem good: And in caſe the ſaid Collectors or Receivers of the ſaid additional Toll, or any of them, ſhall not make ſuch Account or Payment unto ſuch Perſon and Perſons, according to the Order and Direction of ſuch Truſtees, or any Seven or more of them, as aforeſaid; that then the ſaid Juſtices, at any Special Seſſions, or Monthly Meeting, to be holden for any Diviſion, in which the ſaid Road lies, ſhall make Inquiry of or concerning ſuch Default, as well by Confeſſion of the Parties themſelves, as by the Teſtimony of One or more credible Witneſs or Witneſſes upon Oath, which Oath they are

Not accounting, to be committed.

hereby impowered and required to adminiſter *gratis*; and if any Perſon or Perſons ſhall be thereof convicted by ſuch Juſtices, who are thereunto hereby impowered, the ſaid Juſtices ſhall, upon ſuch Conviction, commit the Party or Parties to the common Goal of the County, where the Offence ſhall be committed, there to remain without Bail or Mainprize, until he or they ſhall have made a true and perfect Account and Payment, as aforeſaid.

A ſeparate Account of the additional Toll.

And be it further enacted by the Authority aforeſaid, That the Truſtees, Receivers, or Collectors, and Surveyors appointed, and to be appointed, ſhall from time to time during the Continuance of this Act, keep a ſeparate and diſtinct Account of all ſuch Sum and Sums of Money, as ſhall be raiſed and collected by the ſaid additional Toll, and ſhall apply or cauſe the ſame to be applied in the amending the ſaid

Road

Road hereby directed to be repaired, and not otherwiſe; all ſuch reaſonable Deductions and Allowances as aforeſaid being firſt made and allowed thereout.

Trustees may aſſign over the Toll.

And forasmuch as the Monies to be collected by the Receipt of the ſaid additional Toll, will not at firſt raiſe a Stock or Sum of Money ſufficient for the ſpeedy and effectual amending of the ſaid Road; be it further enacted by the Authority aforeſaid, That the ſaid additional Toll ſhall not be liable to any Debt or Charge already incurred by the ſaid former Acts, or any of them; but the ſaid Truſtees hereby appointed, or to be appointed to put this Act in Execution, or any Seven or more of them, ſhall or may from time to time, by Writing under their Hands and Seals, aſſign over the ſaid additional Tolls, or any Part thereof, for any Time or Term, for which the ſame is hereby enacted to be paid, or for any Part of

ſuch

ſuch Time or Term, for any Sum or Sums of Money by them to be borrowed for that Purpoſe, not exceeding the Sum of One thouſand Pounds, to ſuch Perſon or Perſons, or their Truſtees, who ſhall advance and lend the ſame, to ſecure the Repayment thereof, with lawful or leſs Intereſt; which ſaid Money ſo borrowed ſhall be ſo applied, as the ſaid additional Toll is by this Act directed to be applied, and not otherwiſe.

Toll to be paid but once in a Day.

Provided always, That no Perſon or Perſons, having Occaſion to paſs the Place where the additional Toll is taken, and return the ſame Day before Twelve of the Clock at Night, between the Months of *March* and *September*, and Ten of the Clock at Night, during the other Months of the Year, with the ſame Horſe, Aſs, Mule, Cattle, Coach, Chariot, Calaſh, Chaiſe, Waggon, Cart, Dray, or other Carriage, ſhall be compelled the ſame Day to pay the ſaid

ſaid additional Toll a ſecond time, if ſuch Perſon or Perſons ſhall produce a Note or Ticket, that ſuch additional Toll or Duty was before paid; which Note or Ticket ſuch Receivers or Collectors are hereby required to give *gratis*.

Perſons and Things exempted from Toll.

Provided always, and it is hereby declared, That all and every Perſon and Perſons paſſing through the Place appointed for the receiving the additional Toll aforeſaid, and coming from any Pariſh next adjoining to the ſaid Road reſpectively, ſhall have Liberty to carry away any Quantities of Stone, Sand, Lime, or Gravel, Grains, Dung, Mould, or Compoſt of any Nature or Kind whatſoever, Brick, or Chalk, or any Wood, Coal, or Charcoal, not going to any Market; and that all Carts with Hay in Hay-Time, not going to any Market, Corn in the Straw in Harveſt-Time, Ploughs, Harrows, and other Implements of Husbandry, and

and all other Things whatſoever imployed in Husbandry, or manuring and ſtocking of Land, of the ſeveral and reſpective Inhabitants of ſuch ſeveral and reſpective Pariſhes, ſhall paſs through the ſaid Place, where ſuch additional Toll is to be received, without paying any Thing for their reſpective paſſing; and that it ſhall and may be lawful for all and every Soldier or Soldiers upon his or their March, and all Carts, Waggons, and Carriages attending them, and all Perſons riding Poſt, and alſo all Carts and Waggons travelling with Vagrants ſent by Paſſes, to paſs through the ſaid Places, where the ſaid additional Toll is taken and collected, without paying any thing for their paſſing; any thing in this Act contained to the contrary notwithſtanding.

Toll to continue till the Expiration of the Act 10 *Geor.* I.

And be it further enacted by the Authority aforeſaid, That this Act ſhall commence and take Place, upon the Firſt Day of *May*, One thouſand

ſand ſeven hundred and thirty one, and ſhall continue in force till the Expiration of the Term continued by the ſaid Act paſſed in the Tenth Year of His ſaid late Majeſty's Reign.

On Death, &c. of Truſtees, others to be choſen.

And be it further enacted by the Authority aforeſaid, That for the continuing of a ſufficient Number of fit and able Perſons to be Truſtees, for putting in Execution all and every the Powers and Authorities in this Act, or the before mentioned Acts contained, for and during the Continuance of the ſame, it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, upon the Death of any of the Truſtees herein before mentioned, or upon their Removal, or refuſing to act in the ſaid Truſt, by any Writing under their Hands and Seals, from time to time, and at all Times hereafter, during the Terms hereby, or by the ſaid former Acts, or either of them, granted, to elect, nominate,

and

and appoint, in the room of ſuch Truſtee or Truſtees, ſo deceaſed, removed, or refuſing to act, ſo many more fit and able Perſons, of the Counties of *Suſſex* and *Surrey*, to be joined with the ſaid Truſtees, by this Act appointed, in the Execution of all and every the Powers and Truſts in them repoſed, by Virtue of this preſent, or the ſaid former Acts, or either of them, to all Intents and Purpoſes, in as full, large, and ample Manner, as the Truſtees hereby nominated and appointed are impowered to act and to do, and ſo *toties quoties*, as often as Occaſion ſhall be or require; Notice being given in the *London Gazette*, of the Time and Place of the Meeting of the Truſtees, for ſuch Election, by the Space of Ten Days before ſuch Meeting.

And be it further enacted by the Authority aforeſaid, That the ſeveral Truſtees impowered to put this Act in Execution, or any Seven or more

more of them, ſhall meet together at the Sign of the *White Lion* in *Eaſt-Grinſtead*, in the County of *Suſſex*, on or before the ſaid Firſt Day of *May*, One thouſand ſeven hundred and thirty one, and ſhall then adjourn themſelves, and afterwards meet there, or at any other Place near the ſaid Road ſo to be repaired, as aforeſaid, as the ſaid Truſtees, or any Seven or more of them, ſhall think proper or convenient, as often as it ſhall be neceſſary to put this Act in Execution.

First Meeting of the Truſtees at the *White Lion* in *Eaſt-Grinſtead*, &c.

And be it further enacted by the Authority aforeſaid, That all and every the Powers, Authorities, and Clauſes mentioned or contained in the ſaid Acts of the Fourth, Sixth, and Tenth Years of the Reign of His ſaid late Majeſty (not hereby altered, amended, or otherwiſe explained) ſhall be extended to this Act, as amply and fully, to all Intents and Purpoſes whatſoever, as if the ſame were particularly and at large

The Powers in the former Acts to extend to this.

large repeated, or set down and enacted in and by this Act; and the Truſtees hereby appointed, and to be appointed, ſhall and may, and are hereby impowered and required to execute, or cauſe the ſame to be executed accordingly, ſo far as the ſame relate to the Road aforeſaid.

Not to diminiſh the Money allotted to this Road by the former Acts.

Provided always, and it is hereby declared, That nothing in this Act contained ſhall extend, or be conſtrued to extend to take away or diminiſh any Sum or Sums of Money allotted, or to be allotted, towards amending the ſaid Road hereby intended to be repaired, by virtue of the ſaid former Acts, or any of them.

Additional Toll not to be paid nearer *Godſtone* than *Blue-Anchor Lane*.

Provided always, and it is hereby declared, That the additional Tolls to be collected by virtue of this Act, ſhall not be paid at any Turnpike, which ſhall or may be erected nearer *Godſtone* aforeſaid, than the Turnpike now erected in the Lane called *Blue-Anchor Lane*, in

in the ſaid Road hereby directed to be repaired.

And be it further enacted by the Authority aforeſaid, That if any Suit ſhall be commenced againſt any Perſon or Perſons for any thing done in purſuance of this, or the ſaid former Acts, that in every ſuch Caſe the Action or Suit ſhall be commenced within Six Months next after the Fact committed, and not afterwards, and ſhall be laid and brought in ſuch of the ſaid Counties of *Suſſex* and *Surrey* reſpectively, where the Cauſe of Action did ariſe, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit to be brought, may plead the General Iſſue, Not Guilty, and give this Act, or the ſaid former Acts, and the ſpecial Matter in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance, and by the Authority of this, or the former Acts; and if it ſhall appear ſo to be done, or that ſuch Action or

Actions to be laid in the Counties of *Suſſex* and *Surrey*.

General Iſſue.

Suit ſhall be brought after the time before limited for bringing the ſame, or ſhall be brought in any other County or Place, that then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff ſhall become non-ſuited, or diſcontinue his or her Action after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgement ſhall be given againſt the Plaintiff, the Defendant or Defendants ſhall and may recover treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have in other Caſes by Law.

Publick Act.

And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged, and taken to be a publick Act, and be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

FINIS.

Anno quinto

GEORGII II. Regis.

Clauſes in the Act of 5 Geor. II.

AND be it enacted by the Authority aforeſaid, That if the Commiſſioners and Truſtees appointed or to be appointed to put any Act of Parliament, made or to be made for the Repair of any Highway or Highways, in Execution, ſhall abuſe or exceed their Power by erecting, or cauſing to be erected, or continuing, or cauſing to be continued, any Gate or Gates, Turnpike or Turnpikes, where they have not any Power by virtue of any Act of Parliament, to erect ſuch

Sheriff, by Order of Juſtices in their General Quarter-Seſſions, to remove unwarrantable Turnpikes.

Gate or Gates, Turnpike or Turnpikes; it ſhall and may be lawful to and for the Juſtices of the Peace of the County, where any ſuch Gate or Gates, Turnpike or Turnpikes, is, are, or ſhall be erected, or continued, in their General Quarter-Seſſions aſſembled, upon Complaint of any ſuch Abuſe or Exceſs of Power in ſuch Commiſſioners and Truſtees, in a ſummary Way to hear and determine the ſame, and thereupon to order the Sheriff of the County (who is hereby authorized and required to execute ſuch Order) to remove any ſuch Gate or Gates, Turnpike or Turnpikes.

Act 1 Geor. II. and this continued for 5 Years.

And be it further enacted by the Authority aforeſaid, That this Act, and alſo the ſaid Act hereby explained and amended, and every Article, Clauſe, and Sentence therein contained, not altered by this preſent Act, ſhall from henceforth continue and be in full Force and Effect for the Term of Five Years,

Years, to be computed from the Twenty fourth Day of *June*, One thouſand ſeven hundred and thirty two, and from thence to the End of the then next Seſſion of Parliament, and no longer.

FINIS.

Years, to be computed from the Twenty fourth Day of June, One thousand seven hundred and thirty two, and from thence to the End of the then next Session of Parliament, and no longer.

FINIS

Anno Regni

GEORGII II. Regis

Magn. Britann. Franciæ, & Hiberniæ,

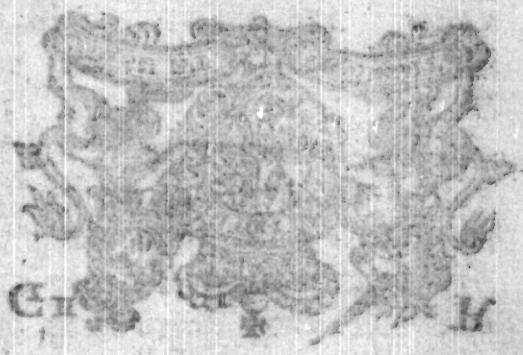
DECIMO.

At the Parliament begun and holden at *Weſtminſter*, the Fourteenth Day of *January*, *Anno Dom.* 1734. in the Eighth Year of the Reign of our Sovereign Lord *GEORGE* II. by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c.

And from thence continued by ſeveral Prorogations to the Firſt Day of *February*, 1736. Being the Third Seſſion of this preſent Parliament.

LONDON,

Printed by *John Baskett*, Printer to the King's moſt Excellent Majeſty. 1737.



DECIMO

Anno decimo

GEORGII II. Regis.

An Act for explaining, and amending, and making more effectual several Acts of Parliament made in the Fourth, Sixth, and Tenth Years of the Reign of His late Majesty King George *the First, respectively, for repairing the several Roads therein mentioned in the Counties of* Surrey, Kent, *and* Sussex; *and for enlarging the Terms and Powers by the said Acts granted; and for repairing the Road lying between* Nonesuch *and* Worcester Parks,

Parks, in the Pariſh of Cuddington, *in the ſaid County of* Surrey.

Preamble reciting the Act 4 Geo. I.

WHEREAS by an Act made and paſſed in the Fourth Year of the Reign of His late Majeſty King *George* the Firſt, intituled, *An Act for amending the Roads from the City of* London *to the Town of* Eaſt-Grinſtead *in the County of* Suſſex, *and to* Sutton *and* Kingſton *in the County of* Surrey, ſeveral Tolls and Duties were granted and made payable, and divers Powers and Authorities given for repairing the Highways and Roads in the ſaid Act mentioned, and for putting the ſaid Act in Execution; which ſaid Act, and all the Tolls, Duties, Powers, and Authorities, thereby given and granted reſpectively, were to continue from the Twenty fifth Day of *March*, One thouſand ſeven hundred and eighteen, for and during

during the Term of One and twenty Years; and in order for the raiſing Money for the more ſpeedy and effectual repairing the ſaid Roads, it was amongſt other things enacted, That the Truſtees in and by the ſaid Act nominated and appointed, or any Fifteen or more of them, ſhould and might, from time to time, by Writing under their Hands and Seals, aſſign over the ſaid Tolls, or any Part thereof, for all or any Part of the Term for which the ſame were granted or enacted, to be paid unto any Perſon or Perſons who ſhould advance and lend any Sum or Sums of Money upon the Credit of the ſaid Act, for ſecuring the Repayment of ſuch Sum or Sums of Money ſo to be advanced and lent, with Intereſt for the ſame; and which Sum or Sums of Money ſo to be advanced and lent, were to be applied for the repairing and amending the ſaid Roads, in ſuch Manner as in the ſaid Act is mentioned;

mentioned: And whereas by an Act made and passed in the Sixth Year of the Reign of His said late Majesty, intituled, *An Act for enlarging the Term granted by an Act in the Fourth Year of His Majesty's Reign*, intituled, *An Act for repairing the Highways leading from the Stones End in* Kent-Street *to the Lime Kilns in* East-Greenwich, *near* Black-Heath, *and to* Lewisham *Church, being the* Tunbridge *Road, in the County of* Kent; *and for repairing and amending the Highways and Roads leading from* Westminster Ferry, *in the Parish of* Lambeth, *in the County of* Surrey, *to* New-Cross *in the Parish of* Deptford, *in the County of* Kent; *and for enlarging the Term granted by an Act passed in the Fourth Year of His Majesty's Reign*, intituled, *An Act for amending the Roads from the City of* London *to the Town of* East-Grinstead *in the County of* Sussex, *and to* Sutton

6 Geo. I.

and

and Kingſton *in the County of* Surrey, *and for explaining and amending the ſame Act*, it was enacted, That the ſaid firſt recited Act, and all the Clauſes, Powers, and Penalties therein contained, ſhould continue and be in Force from and after the Expiration of the aforeſaid Term of One and twenty Years, for and during the Term of Two Years from thence next enſuing; and by the ſame Act divers Perſons therein named were appointed Truſtees for putting the ſaid firſt recited Act in Execution, together with the reſt of the Truſtees nominated and appointed by the ſame Act: And whereas by an Act made in the Tenth Year of the Reign of His ſaid late Majeſty, intituled, *An Act for amending the Roads from the Stones End in* Southwark, *to* Highgate, *at the Entrance of* Aſhdown Forreſt, *in the Pariſh of* Eaſt-Grinſtead, *in the County of* Suſſex, *and from* Kingſton *to* Burton-Common, 10 *Geo. I.*

and

and alſo the Lane leading from Wood-Hatch *to* Sidlow-Mill, *and the Lanes called* Horſe-hills, Bonehurſt, alias Boners, *and* Peteridge *Lanes, in the County of* Surrey, *by enlarging the Terms granted by two former Acts, One of the Fourth, and the other of the Sixth Year of His Majeſty's Reign,* it was, amongſt other Things, enacted, That the ſaid Act of the Fourth Year of His ſaid late Majeſty's Reign herein firſt recited, and all the Clauſes, Powers, Penalties, Matters, and Things therein contained, not altered, explained, or otherwiſe enacted by the ſaid Act of the Tenth Year of His late Majeſty's Reign, ſhould continue and be in force, and ſhould be extended to the ſeveral Roads by the laſt mentioned Act directed to be amended; and alſo ſhould be continued, and be executed from and after the Expiration of the aforeſaid Terms of One and twenty Years,

and

and Two Years, for and during the Term of One and Twenty Years from thence next enſuing; and that the Monies to be raiſed by ſuch additional Term, ſhould be veſted in Truſtees for amending and repairing the ſaid Roads, and for ſecuring the Repayment of all ſuch Sum and Sums of Money as ſhould be borrowed, advanced, or lent upon the Credit of the ſaid Act of the Tenth Year of the Reign of His ſaid late Majeſty, together with the Charges and Expences of paſſing the ſame: And it was thereby enacted, That the Truſtees appointed by the ſaid two former Acts, and divers other Perſons in the laſt recited Act named, ſhould be, and were thereby nominated and appointed Truſtees for putting the ſame Act in Execution; and they, or any Seven or more of them, were thereby authorized and impowered to execute all and every the Powers granted by the ſaid three ſeveral Acts:

Acts: And it was thereby also enacted, That it should be lawful for the said Trustees, or any Fifteen or more of them, and they were thereby authorized and impowered, from time to time, by Writing under their Hands and Seals, to assign the Toll and Duty thereby granted, and to commence from and after the Expiration of the said several Terms of One and twenty Years, and Two Years, for any Term during the Continuance of the said last recited Act, or for any Part of such Term, as a Security for any Sum or Sums of Money to be borrowed, advanced, and lent for repairing the said Roads thereby directed to be repaired and amended, and to secure the Repayment thereof with Interest, after the Rate of Five Pounds *per Centum per Annum*: And it was thereby further enacted, That for securing the Payment of the Interest of all Monies to be borrowed by virtue of the same Act, until the Term thereby

thereby granted ſhould take effect in Poſſeſſion, the ſaid Truſtees, or any Seven or more of them, might deduct out of the reſpective Proportions by the ſaid firſt recited Act allotted to be paid out of the Tolls and Duties thereby ariſing for repairing and amending the ſaid Roads, ſo much Money yearly, and every Year, as ſhould be ſufficient to pay the Intereſt of the Monies to be borrowed by virtue of the ſaid laſt recited Act, and from time to time to pay to ſuch Perſon or Perſons, who ſhould advance and lend the ſame, ſuch Intereſt-Money Half-yearly, by even and equal Portions, until the Commencement of the Term thereby granted; and after the ſame ſhould commence, then ſhould and might apply the whole Profits ariſing by the Tolls and Duties thereby granted for the ſaid additional Term, for Payment of the principal Money borrowed upon ſuch Securities, together with

ſuch Intereſt as ſhould accrue or grow due for the ſame after the Commencement of the ſaid Term: And it was thereby further enacted, That all the Monies that had been borrowed for amending the ſaid Roads, and advanced and lent upon the Security of the Tolls and Duties granted by the ſaid two former Acts, or either of them, and which then remained due and unpaid, together with the Intereſt thereof, ſhould be in the next Place duly paid and ſatisfied out of the ſame Tolls and Duties, and that all the Profits ariſing from the ſame, by virtue of the ſaid former Acts, or either of them, ſhould, from time to time, during the Continuance of the ſame Acts, be applied to and for the Payment thereof; and reciting in the ſaid Act, that the ſeveral Roads therein mentioned were intended to be repaired and amended at one and the ſame time, it was therefore enacted, That the Money

to

to be borrowed by virtue of the ſame Act, not exceeding the Sum of Nine thouſand Pounds, ſhould be applied on each reſpective Road to be amended as followeth; that is to ſay, Two thouſand five hundred Pounds in repairing and amending the Roads from *Croydon* to *Highgate* aforeſaid; Two thouſand Pounds for repairing and amending the Road from *Kingſton upon Thames* to *Burton-Common*; and Two thouſand Pounds in repairing and amending the Lane from the Borough of *Wood-Hatch*, by *Salmon's-Croſs*, to *Sidlow-Mill*, in the Pariſh of *Rygate*, and *Horſe-hills* Lane, and *Bonehurſt*, *alias Boners*, and *Peteridge* Lanes, in the Pariſh of *Horley*; and Two thouſand five hundred Pounds, the Remainder of the ſaid Nine thouſand Pounds, for repairing and amending the Roads from the Stones End to *Croydon*, *Kingſton*, and *Sutton* reſpectively, in ſuch Manner and Proportions as

the Truſtees, or any Nine or more of them, ſhould think meet and proper; in which laſt recited Act is contained a Proviſo, that if, at any time before the Expiration of the Term granted by the ſame Act, the Sum of Nine thouſand Pounds, to be borrowed by virtue thereof, ſhould be fully repaid, with all Intereſt due thereupon, and the Coſts and Charges thereof, the aforeſaid Tolls and Duties thereby granted ſhould go and be applied in manner following; to wit, One Fourth Part in finiſhing the Repairs and Amendment of the Roads from the Stones End to *Croydon*; One Fourth Part from *Croydon* to *Highgate* aforeſaid; One Fourth Part from the Stones End to *Burton-Common* aforeſaid; and One Fourth Part from the Stones End to *Sutton*, and from the ſaid Borough of *Wood-Hatch*, in the Pariſh of *Ryegate*, to the farther End of *Horſe-hills* Lane, in the ſaid Pariſh of *Harley*, and from the

the Beginning of *Peteridge* Lane, to the farther End of *Bonehurſt*, *alias Boners* Lane, in the Pariſh of *Horley* aforeſaid, ſubject nevertheleſs to be determined and to ceaſe upon an Adjudication by the Juſtices of the Peace for the ſaid reſpective Counties of *Surrey* and *Suſſex*, and wherein the Roads do lie, at their reſpective Quarter-Seſſions, that the ſaid Roads are well and ſufficiently repaired: And whereas the Truſtees nominated and appointed by the firſt recited Act, did, in purſuance and upon the Credit of the ſaid Act, borrow of ſeveral Perſons ſeveral Sums of Money, amounting together to the principal Sum of Nine thouſand Pounds, and aſſigned and made over the Tolls and Duties ariſing by virtue of and under the ſaid Act, unto the ſeveral Perſons who advanced and lent the ſaid Monies reſpectively, as a Security for the Repayment of the ſame, with lawful Intereſt: And whereas the

Truſtees nominated and appointed by the ſaid Act of the Tenth Year of the Reign of His ſaid late Majeſty, did in purſuance and upon the Credit of the ſaid Act, borrow of ſeveral Perſons, ſeveral Sums of Money, amounting together to the principal Sum of Six thouſand ſeven hundred and fifty Pounds, Part of the Nine thouſand Pounds which they were impowered to raiſe by the ſaid Acts, and aſſigned and made over the Tolls and Duties ariſing by virtue of and under the ſaid Act, unto the ſeveral Perſons who advanced and lent the ſaid Monies reſpectively, as a Security for the Repayment of the ſame, with lawful Intereſt: And whereas the Truſtees appointed by the ſaid Acts reſpectively, have applied the Monies ſo borrowed upon the Credit of the ſaid ſeveral Acts, together with the Tolls and Duties ariſing, and received by virtue of the ſame, in, for, and towards the repairing, and amending

amending the Highways and Roads thereby directed to be repaired and amended, and for other the Purpoſes in the ſaid Acts mentioned, and great Progreſs hath been made in repairing and amending the ſaid Highways and Roads accordingly; And whereas the ſaid principal Sum of Six thouſand ſeven hundred and fifty Pounds, borrowed upon the Credit of the ſaid Act, of the Tenth Year of His late Majeſty, and the principal Sum of Seven thouſand Pounds, Part of the Money borrowed upon the Credit of the firſt recited Act, making together, Thirteen thouſand ſeven hundred and fifty Pounds, remain ſtill due and owing upon the ſaid ſeveral Securities, and carry Intereſt after the Rate of Five Pounds *per Centum per Annum*; And whereas the Truſtees appointed to execute the Powers and Authorities of the ſaid Acts, have reaſon to believe that they can borrow, and take up Money to diſ-

charge the ſaid Debts and Incumbrances at a lower Rate of Intereſt, by which means the Fund ſettled, and to be raiſed by the ſame Acts, would be conſiderably augmented, and conſequently the repairing and amending the Highways and Roads therein mentioned, be ſooner finiſhed and compleated: But as the Term granted by the Two Acts of Parliament herein firſt recited, will expire at *Lady-day*, One thouſand ſeven hundred and forty one, and the Monies to be raiſed by virtue and upon the Credit of the ſaid Act of the Tenth Year of His ſaid late Majeſty, cannot, by the Tenor of the ſame Act, be applied to diſcharge the Money due and owing on the Security of the ſaid Two former Acts, a good and effectual Aſſignment or Security cannot be made of the Tolls and Duties granted and directed to be levied by the ſaid ſeveral Acts for Repayment of any Money to be advanced and lent for

that

that Purpoſe; and in caſe the Tolls and Duties granted by the Two firſt recited Acts were to be received and applied for Diſcharge and Satisfaction of the Monies advanced and ſecured upon the Tolls and Duties granted by the ſame Acts (and which are ſolely charged with the ſame) the repairing of the Roads, for which the ſaid Duties were ſo given and granted, would be totally fruſtrated and prevented: Wherefore for preventing the ſaid Inconvenience, and to the End and Intent that an effectual Proviſion may be made for repairing and amending the ſaid Roads; and alſo the Road between *Nonesuch* and *Worceſter* Parks, in the Pariſh of *Cuddington*, in the ſaid County of *Surrey*; may it pleaſe Your moſt Excellent Majeſty, that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons,

The recited Acts continued for 15 Years, from 25 *March*, 1762.

mons, in this present Parliament assembled, and by the Authority of the same, That the said several recited Acts made in the Fourth and Tenth Years of the Reign of His said late Majesty, and also so much of the said Act of the Sixth Year of the Reign of His said late Majesty, as relates to the repairing and amending the Roads in the Counties of *Surrey* and *Sussex*, and all and every the Tolls, Duties, Powers, Clauses, Penalties, and Forfeitures thereby directed to be levied and executed, and therein respectively contained, relating to the several Roads in the said Counties of *Surrey* and *Sussex*, (except so far as the same, or any of them, are in and by this present Act, and by the said Act of the Tenth Year of His said late Majesty, enlarged, altered, or otherwise explained) shall be, and they are hereby declared to be in full Force, and shall be further continued from the Twenty fifth Day of *March*,

March, which shall be in the Year of our Lord One thousand seven hundred and sixty two, for and during the further Term of fifteen Years, in as full, large, ample and beneficial Manner, as if the same had been expressly inserted and re-enacted in the Body of this present Act.

The recited Acts continued for 15 Years from 25 March 1762.

And it is hereby further enacted by the Authority aforesaid, That from and after the Twenty fourth Day of *June* which shall be in the Year of our Lord One thousand seven hundred and thirty seven, it shall and may be lawful to and for the Trustees appointed, or to be appointed by virtue of or in Pursuance of the said recited Acts, and this present Act in that Behalf, or any Eleven or more of them, and they are hereby authorized and impowered from time to time, by Writing or Writings under their Hands and Seals, to grant, bargain, and sell, mortgage, assign, and set over the several Tolls and Duties given, granted,

Trustees may assign over the Duties.

ed, continued, and directed to be levied for repairing and amending the ſeveral Roads in the ſaid Counties of *Surrey* and *Suſſex*, by virtue of and under the ſaid ſeveral former Acts, and this preſent Act, or any of them (ſubject nevertheleſs to the ſeveral prior Aſſignments and Securities, which ſhall be then ſubſiſting upon and affect the Premiſſes) unto any Perſon or Perſons whatſoever, that ſhall be willing to advance and lend Money thereupon, for and during all or any Part of the Term and Terms for which the ſaid Tolls and Duties were and are by the ſaid recited Acts and this preſent Act, or any of them, granted and continued reſpectively, for the raiſing any Sum or Sums of Money, not exceeding in the whole the Sum of Sixteen thouſand five hundred pounds Sterling; and for ſecuring the Repayment of the Sum or Sums of Money ſo to be advanced and lent, with Intereſt for the ſame.

And

And it is hereby enacted and declared, That the Money ſo to be raiſed in purſuance of this Act, ſhall be applied and diſpoſed of, in the firſt Place, for the paying and defraying the Charges and Expences attending the paſſing this Act; and in the next Place, for the paying off and diſcharging the ſaid Sum of Six thouſand ſeven hundred and fifty Pounds, ſo advanced and lent upon the Credit of the ſaid Act of the Tenth Year of His late Majeſty; and in the next Place, for paying the Sum of Two thouſand two hundred and fifty Pounds, being the Remainder of the Sum of Nine thouſand Pounds, authorized or directed to be raiſed upon the Credit of the Act of the Tenth Year of His late Majeſty, to and for ſuch Purpoſes as the ſame ſhould and ought to have been paid and applied by the Tenor and true Meaning of the ſame Act, in caſe the ſame had been raiſed by virtue and in purſuance of the ſame Act; and

Monies raiſed by this Act how to be applied.

in

in the next Place, for paying and discharging the said Sum of Seven thousand Pounds, due and owing upon the Credit of the said Two first recited Acts, and now remaining unsatisfied, and all Interest attending the same; and afterwards in, for, and towards the repairing and amending the Highways and Roads in and by the said several Acts of the Fourth and Tenth Years of the Reign of His said late Majesty directed and appointed to be repaired and amended, in such Proportions and Manner as the Tolls and Duties arising and made payable by virtue of the said Acts respectively are ordered, directed, and appointed to be issued, paid, and applied.

Tolls augmented.

And for the more speedy repairing and amending the said Roads and Highways in the Counties of *Surrey* and *Sussex*, mentioned and described in the said recited Acts, and making the Tolls and Duties given and granted for repairing the same more effectual;

fectual; it is hereby further enacted by the Authority aforeſaid, That from and after the Twenty fifth Day of *July*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and thirty ſeven, inſtead of the Toll or Duty of One Peny directed by the firſt recited Act, to be paid for every Chaiſe, Cart, Dray, or other Carriage drawn by One Horſe only, there ſhall be taken and paid at the reſpective Gates or Turnpikes in *Surrey* and *Suſſex*, where the Tolls or Duties are by virtue or in purſuance of the ſaid recited Acts to be paid and received, for every ſuch Chaiſe, Cart, Dray, or other Carriage, before the ſame ſhall be permitted to paſs through ſuch Gate or Turnpike reſpectively, the Sum of Two Pence.

And be it further enacted by the Authority aforeſaid, That ſuch Share or Proportion of the Monies arising or to ariſe from the Duties or Tolls granted by the ſaid recited Acts made

Proportion of the Monies ariſing on the Road pair of *Croydon* Road how to be applied.

made in the Fourth, Sixth, and Tenth Years of His late Majesty's Reign, and by this present Act, as by the said Acts or any of them is directed to be applied to the repairing and amending the Road from the said Town of *Croydon* to *Highgate* aforesaid, or any Part thereof, shall be applied in the Manner following; that is to say, such Share or Proportion shall be divided into Twenty three equal Parts, and Ten Parts thereof shall be applied in repairing and amending the said Road from the said Town of *Croydon* to the *White Hart* Inn in *Godstone* Town or Street in the County of *Surrey*; and the remaining Thirteen Parts thereof shall be applied in repairing and amending the said Road, from the said Inn to *Highgate* aforesaid.

10 Days Notice of the Election of Trustees, &c. to be given in the Gazette, &c.

And it is hereby further enacted, That when any Election, Nomination or Appointment of any new Trustee or Trustees, Receiver or Collector of any of the Tolls or Duties

ties given, granted, and directed to be raiſed in *Surrey* or *Suſſex* by the ſaid former Acts, and this preſent Act, ſhall be made by the Truſtees in Purſuance of the Powers and Authorities veſted in them by the ſame Acts; the ſaid Truſtees, or any Seven or more of them, or the Clerk to the Truſtees for the time being, ſhall from time to time give Notice, or cauſe Notice to be given in the *London Gazette*, of the Time and Place of the Meeting of the Truſtees, in order for, and for the Purpoſe of ſuch Election, at leaſt Ten Days before any ſuch Meeting; and that every Meeting of the Truſtees, for which Ten Days Notice is by the ſaid former Acts, or this preſent Act, directed to be given, ſhall be held either in the Borough of *Southwark*, or in the Towns of *Kingſton*, or *Croydon*, or at *Godſtone* in the County of *Surrey*, or in the Town of *Eaſt Grinſtead* in the County of *Suſſex*.

Clerk to ſummon the Truſtees.

Provided always, That if there ſhall not appear at any ſuch Meeting of the ſaid Truſtees, for putting this or any of the ſaid former Acts in Execution, a ſufficient Number of Truſtees to act at ſuch Meeting, and to adjourn to any other Day; then, and in ſuch Caſe, the Clerk to the ſaid Truſtees ſhall, and may, by Writing under his Hand, appoint the Truſtees to meet at the Place where ſuch laſt Meeting was to have been held, at a certain Day in ſuch Writing to be named, within One Month from the Date thereof; and ſhall cauſe Notice to be given in the *London Gazette*, of the Time and Place ſo to be aſſigned and appointed by him for ſuch ſubſequent Meeting, at leaſt Ten Days before the Day to be appointed for ſuch Meeting; any Thing contained in any of the Acts herein before recited to the contrary thereof in any wiſe notwithſtanding.

Provided alſo, and it is hereby further enacted and declared, That

in case of the Death of any Receiver or Collector of the Duties granted and continued by this and the said former Acts, which shall arise in the Counties of *Surrey* or *Sussex*; or in Case any of the said Receivers or Collectors shall, in the Judgement of any Seven or more of the Trustees for the time being, misbehave himself in the Execution of his Office; it shall and may be lawful to and for any Seven or more of the said Trustees, from time to time, to nominate and appoint another Person in the Room and Stead of each such Receiver or Collector so dying, or misbehaving himself, to continue in such Office until a Meeting of the Trustees for electing a new Receiver or Collector, in the Room of such Person so dying or misbehaving, shall be held. Trustees to appoint Collectors.

And be it further enacted by the Authority aforesaid, That no Gate or Turnpike erected and set up in *Surrey* or *Sussex*, in pursuance and for Turnpikes not to be taken down or erected but by Order of Trustees.

the purpoſes of the ſaid former Acts, or any of them, ſhall be taken down or removed, or any new Gate or Turnpike be erected or ſet up in any of the Roads in *Surrey* or *Suſſex*, directed and appointed by the ſaid former Acts to be repaired and amended, except by Order of the Truſtees made at ſuch Meeting, whereof Ten Days Notice ſhall be given in the *London Gazette*, purſuant to this Act as aforeſaid; any thing in the ſaid former Acts or in this preſent Act contained to the contrary notwithſtanding.

Proviſo. Provided always, That no Turnpike ſhall be erected or ſet up by virtue of this Act, or any of the ſaid former Acts, in any Part of the Road between the Eaſt End of the Lane called *Manningate-Lane*, near the Town of *Kingſton* and *Burton Common* in the ſaid County of *Surrey*.

Provided always, and be it further enacted by the Authority aforeſaid, That nothing in this Act contained

ſhall

ſhall diminiſh, leſſen, or take away, or be deemed to diminiſh, leſſen, or take away, the annual Sum of One hundred and fifty Pounds, which by the ſaid recited Act, made in the Sixth Year of the Reign of His ſaid late Majeſty, is directed to be paid for repairing and amending the Highways or Roads leading from *Weſtminſter Ferry*, in the Pariſh of *Lambeth*, in the County of *Surrey*, unto *New Croſs*, in the Pariſh of *Deptford*, in the County of *Kent*, or the annual Sum of One hundred Pounds, which by the ſaid Act, made in the Tenth Year of the Reign of His ſaid late Majeſty, is directed to be paid for repairing and amending the ſame Highways or Roads, or the annual Sum of Forty Pounds, which by the ſaid Act, made in the Sixth Year of the Reign of His ſaid late Majeſty, was granted, and by the ſaid Act, made in the Tenth Year of His ſaid late Majeſty's Reign, continued, for amending the Roads from *Vaux-*

This Act not to take away the Allowance for Repair of the Roads from *Weſtminſter Ferry*.

hall Bridge, through *Stockwell*, to the Bottom of *Briſtow Cauſey Common*; but that the ſaid ſeveral annual Sums of One hundred and fifty Pounds, and One hundred Pounds reſpectively, ſhall have Continuance, and be paid, and payable, according to the true Intent and Meaning of the ſaid ſeveral Acts; and the ſaid ſeveral annual Sums of One hundred Pounds, and Forty Pounds, ſhall be, and are hereby continued, from the Expiration of the ſaid Act made in the Tenth Year of the Reign of His ſaid late Majeſty, for and during the ſaid further Term of Fifteen Years by this preſent Act granted, and ſhall, during the Continuance of this Act, be paid out of the Tolls and Duties which ſhall ariſe by virtue of this Act, at ſuch Times, and in ſuch Manner, and under the ſame Proviſions and Reſtrictions, and be applied and diſpoſed of to the ſame Uſes and Purpoſes, as by the ſaid ſeveral Acts made in the ſaid Sixth and Tenth

Years

Years of the Reign of His ſaid late Majeſty, the ſame are reſpectively directed to be paid or applied; any thing herein contained to the contrary notwithſtanding.

This Act to ceaſe, if executed before the Expiration of the Term granted.

Provided alſo, That if at any Time before the Expiration of the ſaid Term, the Highways and Roads herein before mentioned and deſcribed ſhall be ſufficiently amended and repaired, and be ſo adjudged by the Juſtices of the Peace for the ſaid Counties of *Surrey* and *Suſſex* reſpectively, at the General Quarter Seſſions to be holden for the ſaid Counties; then, and from and after ſuch Adjudication, Judgement, and Determination of the ſaid Juſtices in Manner aforeſaid, and after Payment of all ſuch Monies as are or ſhall be borrowed upon the Credit of the ſaid former Acts, and this preſent Act, with Intereſt for the ſame, all and every the Term and Terms for Years, for which the ſaid Tolls and Duties are granted and continu-

ed by the ſaid recited Acts, and this preſent Act reſpectively, ſhall ceaſe, determine, and be abſolutely void.

This Act not to alter the Act 4 *Geo.* II.

Provided always, That nothing in this Act contained ſhall alter or vary any of the Tolls, Duties, or Powers given and granted, and directed to be levied in and by an Act of Parliament made and paſſed in the Fourth Year of the Reign of His preſent Majeſty, intituled, *An Act for the more effectual repairing the Road leading from* Godſtone *in the County of* Surrey, *to* Highgate, *at the Entrance into* Aſhdown Foreſt *in the Pariſh of* Eaſt Grinſtead *in the County of* Suſſex; except in reſpect of the Place or Places of Meeting for chooſing Truſtees, as is herein before mentioned and provided: But nothing in this Act contained ſhall alter or vary the Place, Time, or Manner of chooſing the Receivers or Collectors of the Tolls or Duties granted by the ſaid laſt mentioned Act.

And whereas the Road lying between *Noneſuch* and *Worceſter* Parks, in the Pariſh of *Cuddington*, in the ſaid County of *Surrey*, is in a ruinous Condition, and dangerous to Paſſengers, and cannot be repaired by the Inhabitants of the ſaid Pariſh, unleſs ſome other Proviſion be made for that Purpoſe; now, to the End the ſaid Road may, with all convenient Speed, be effectually amended, and hereafter kept in good Repair, be it further enacted by the Authority aforeſaid, That the Truſtees appointed, or to be appointed to put the ſaid former Acts and this preſent Act in Execution, ſhall, during the Continuance of the ſaid Acts, pay or cauſe to be paid yearly, the Sum of Thirty Pounds, and no more (clear of all Charges and Deductions whatſoever) for and towards repairing the ſaid laſt mentioned Road; which ſaid Thirty Pounds ſhall be paid by Half-yearly Payments, from and after the ſaid Twenty fourth Day of *June*, One thouſand

Proviſion for the Repair of the Road between *Noneſuch* and *Worceſter* Parks.

Trustees appointed.

thousand seven hundred and thirty seven, to the Right Honourable the Lord *Baltimore* in the Kingdom of *Ireland*, *Thomas Buckley*, *Thomas Beckford*, *George Ballard*, *Christopher Bucke*, *James Cooke*, Sir *Conyers D'Arcy*, *Mark Dutton*, *Henry Fendal*, *Nathaniel Garland*, *Humphry Gore*, *John Grant*, Sir *William Jolliff*, *Edward Knipe*, *George Lowen*, *Lambert Ludlow*, *Edward Northey*, *William Newland*, *John Parkhurst*, *Micajah Perry*, *George Procter*, *Thomas Revell*, *Joseph Shaw*, *James Todd*, *Joseph Thompson*, Sir *John Hartopp* Baronet, Sir *George Walters*, and *Thomas Williams* Esquires, or any Three or more of them, they giving a Receipt or Receipts for the same; and the said Persons last named, or any Three of them, are hereby nominated and appointed Trustees for surveying, ordering, repairing, and keeping in Repair the said last mentioned Road, and the Survivors of them; and in case any of

of the ſaid Truſtees laſt named ſhall happen to die, remove, or refuſe to act, that then it ſhall and may be lawful to and for the Survivors of ſuch laſt named Truſtees, or any Five or more of them, from time to time, by any Writing or Writings under their Hands and Seals during the Continuance of the ſaid former Acts, and this preſent Act, to elect and appoint, in the Room of ſuch Truſtee or Truſtees ſo dying, removing, or refuſing to act, ſo many more fit and able Perſons to be joined with them, in the Execution of the laſt mentioned Truſt; and all and every Perſon and Perſons ſo elected and appointed, ſhall and may, and he and they are hereby impowered to act, to all Intents and Purpoſes, as the remaining Truſtees are by this Act impowered to act and to do. who are to ſupply Vacancies,

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees hereby appointed for repairing the ſaid Road between *Nore-*

ſuch

Truſtees when and where to meet.

ſuch and *Worceſter* Parks, in the ſaid Pariſh of *Cuddington*, ſhall meet together at the Sign of the *Bull Head* in the Pariſh of *Ewell*, in the ſaid County, near *Cuddington* aforeſaid, on the Firſt *Tueſday* after the ſaid Twenty fourth Day of *July*, One thouſand ſeven hundred and thirty ſeven; and ſhall then adjourn themſelves, and afterwards meet there, or at any other Place near the ſaid laſt mentioned Road, as the ſaid Truſtees, or any Three or more of them, ſhall think proper and convenient, as often as it ſhall be neceſſary for executing the Powers and Truſts hereby veſted in them; and that the ſaid laſt named Truſtees ſhall, at their firſt Meeting, and at all ſubſequent Meetings, defray their own Charges and Expences.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for ſuch Perſon and Perſons, as ſhall from time to time be appointed by the ſaid Truſtees,

ſtees herein laſt named, or any Three or more of them, to dig, gather, take, and carry away any Gravel, Sand, Stone or Stones, out of any Common or Waſte Ground in the ſaid Pariſh, wherein the ſaid laſt mentioned Road doth lie; and for want of ſufficient Gravel, Sand, or Stones there, out of the Waſte or Common of any neighbouring Pariſh, Town, Village, or Hamlet, without paying any thing for the ſame; and where there is not ſufficient of ſuch Materials in any Commons or waſte Grounds near adjoining, to dig, or gather in the ſeveral Grounds of any Perſon or Perſons (not being a Park, Garden, Orchard, Yard, or Meadow, planted Walk or Walks, or Avenue to a Houſe) where any ſuch Materials are or may be found; and from time to time to carry away ſuch and ſo much thereof as the ſaid Truſtees, or ſuch Perſon or Perſons as they, or any Three or more of them ſhall, appoint, ſhall judge

Gravel, &c. to be dug out of adjacent Grounds.

judge neceſſary for the repairing of the ſaid Road, without paying any Thing for ſuch Materials, ſave only ſuch reaſonable Satisfaction to the Owner or Occupier of the Ground where ſuch Materials ſhall be digged, gathered, or from whence the ſame ſhall be carried away, as for the Damage which he, ſhe, or they ſhall or may thereby ſuſtain, to be aſſeſſed and adjudged by the Juſtices of the Peace at the next Special Seſſions or monthly Meeting, to be holden for the Diviſion of the ſaid County of *Surrey*, where the ſaid Road doth lie, in caſe of any Difference concerning the ſame.

Truſtees to give upon Oath an Account of the Monies.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees ſo receiving the ſaid Sum of Thirty Pounds for the Purpoſes aforeſaid, ſhall, upon Oath, give in a true, exact, and perfect Account of the Application thereof in Writing under their Hands, once in every Year, to the Juſtices of the Peace

Peace for the ſaid County of *Surrey*, at any Special Seſſion to be held for the ſaid Diviſion of the ſaid County, for which Oath no Fee or Reward ſhall be taken, and the ſame may be taken in Writing; and in caſe any Money ſo received ſhall remain in their Hands, the ſame ſhall be laid out in amending the ſaid laſt-mentioned Road, according to the true Intent and Meaning of this Act, and not otherwiſe.

Perſons before chargeable to the ſaid Road, to continue ſo.

Provided always, and be it further enacted, That all and every Perſon and Perſons, who by Law are chargeable towards repairing and amending the ſaid laſt mentioned Road, ſhall ſtill remain chargeable, and do their reſpective Works in the ſaid Pariſh, in which the ſaid Road doth lie, as before he or they ought to have done.

No Turnpikes to be erected on it.

Provided always, and it is hereby declared and enacted, That no Turnpike or Turnpikes ſhall, during the Continuance of the ſaid former Acts,

or

or this preſent Act, be erected upon any Part of the additional Road, herein before mentioned and deſcribed in the Pariſh of *Cuddington*.

Publick Act.

And it is hereby further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a publick Act, and all Judges and Juſtices, are hereby required to take notice thereof accordingly.

FINIS.

Anno Regni

GEORGII II. Regis

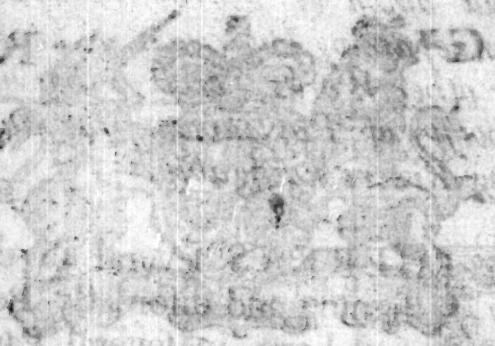
Magn. Britann. Franciæ, & Hiberniæ,

PRIMO.

At the Parliament begun and holden at *Weſtminſter*, the Twenty third Day of *January*, *Anno Dom.* 1727. in the Firſt Year of the Reign of our Sovereign Lord *GEORGE* II. by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c. being the Firſt Seſſion of this preſent Parliament.

LONDON,

Printed by *John Baskett*, Printer to the King's moſt Excellent Majeſty. 1737.



Anno primo

GEORGII II. Regis.

An Act for punishing such Persons as shall wilfully and maliciously pull down or destroy Turnpikes for repairing Highways, or Locks, or other Works, erected by Authority of Parliament, for making Rivers navigable.

WHEREAS several ill designing and disorderly Persons have, in several Parts of this Kingdom, associated themselves together both by Day and Night, and cut down, pulled down, Preamble.

down, burnt, and otherwiſe deſtroyed ſeveral Turnpike Gates and Houſes, which have been erected by the Authority of ſeveral Acts of Parliament, made for repairing divers Roads within this Kingdom, by Tolls taken, or to be taken at ſuch Turnpikes, and thereby prevented the Toll from being received, which has leſſened the Security of divers of His Majeſty's good Subjects, for conſiderable Sums of Money, which they have advanced, or lent, on the Credit of the ſaid Acts, and deterred others from lending any Money on the ſame, and thereby the ſaid Acts are become ineffectual, the Laws now in force not inflicting any Puniſhment on ſuch Offenders ſuitable to their Offences; and whereas other evil diſpoſed Perſons have threatened the pulling down, and deſtroying of Locks, Sluices, and Floodgates, erected to preſerve and ſecure the Navigation of Rivers made navigable, purſuant to Acts of

Parlia-

Parliament for that Purpoſe; for preventing ſuch wicked and unlawful Practices for the future, and for rendering the ſaid Acts more effectual, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons whatſoever, from and after the Twenty fourth Day of *June*, in the Year of our Lord, One thouſand ſeven hundred and twenty eight, ſhall either by Day or Night, wilfully and maliciouſly break down, cut down, pluck up, throw down, level, or otherwiſe deſtroy any Turnpike Gate or Turnpike Gates, or any Poſt or Poſts, Rail or Rails, Wall or Walls, or other Fence or Fences, belonging to any ſuch Turnpike Gate or Turnpike Gates, erected or to be erected, to prevent Paſſengers from paſſing by without paying

If any Perſon ſhall break down any Turnpike, he ſhall be ſent to the common Goal, or Houſe of Correction, for 3 Months,

ing

ing the Toll, directed to be paid by any Act or Acts of Parliament made, or to be made for that Purpoſe, every and all ſuch Perſon or Perſons ſo offending, being lawfully convicted thereof, upon the Oath or Oaths of One or more credible Witneſs or Witneſſes, before any Two or more Juſtices of the Peace of the County, Riding, Diviſion, City, Town, Borrough, or Corporation, wherein any ſuch Offence or Offences ſhall be committed, or before the Juſtices of the Peace in open Seſſions (who are hereby authorized and impowered ſummarily and finally to hear and determine the ſame) ſhall be ſent to the common Goal, or elſe to the Houſe of Correction, there to continue and be kept to hard Labour for the ſpace of Three Months, without Bail or Mainprize; and the ſaid Juſtices ſhall alſo order and adjudge that ſuch Offender and Offenders ſhall be by the Maſter, or Keeper of ſuch Gaol, or Houſe of Correc-

and be whipt at the Market Croſs.

Correction, as aforeſaid, on the firſt convenient Market Day, once publickly and openly whipt in ſuch City, Town, Borough, or Corporation, wherein, or near which ſuch Offence ſhall be committed, at the Market Croſs or Market Place there, between the Hours of Eleven and Two of the Clock.

Convicted a ſecond time, or demoliſhing Locks, to be tranſported for 7 Years.

And be it further enacted by the Authority aforeſaid, That if any ſuch Perſon or Perſons ſo convicted ſhall, from and after the ſaid Twenty fourth Day of *June*, commit any of the Offences aforeſaid a ſecond Time, or if any Perſon or Perſons ſhall, either by Day or Night, wilfully and maliciouſly pull down or demoliſh any Houſe or Houſes erected, or to be erected, for the Uſe and Service of any Turnpike Gate or Turnpike Gates, or ſhall wilfully and maliciouſly break down or demoliſh any Lock, Sluice, or Floodgate erected, or to be erected, by Autho-

Authority of Parliament, upon any navigable River, for preſerving or ſecuring the Navigation thereof, and ſhall be lawfully convicted of the ſame reſpectively upon Indictment, before any of His Majeſty's Juſtices of Aſſize, *Oyer and Terminer*, or general Goal Delivery, for the County, City, Town, Borough, or Corporation, where ſuch Offence or Offences reſpectively ſhall be committed, every ſuch Perſon and Perſons ſo offending, and being thereof lawfully convicted, ſhall be adjudged guilty of Felony, and every ſuch Felon and Felons ſhall be ſubject and liable to the like Pains and Penalties, as in Caſes of Felony; and the Courts, by and before whom ſuch Perſon or Perſons ſhall be tried, ſhall and hereby have Power and Authority to tranſport ſuch Felons for the ſpace of Seven Years, in like manner as other Felons are directed to be tranſported

tranſported by the Laws and Statutes of this Realm.

And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any thing done in purſuance of this preſent Act, that in every ſuch Caſe the Action or Suit ſhall be commenced within Six Months next after the Fact committed, and not afterwards, and ſhall be laid and brought in ſuch County or Counties, Place or Places, where the Cauſe of Action ſhall ariſe, and not elſewhere; and the Defendant and Defendants, in ſuch Action or Suit to be brought, ſhall and may plead the General Iſſue, Not Guilty, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of the ſaid Act; and if it ſhall appear ſo

General Iſſue.

to be done, or that ſuch Action or Suit ſhall be brought after the Time before limited for bringing the ſame, as aforeſaid, or ſhall be brought in any other County or Counties, Place or Places, that then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Actions after the Defendant or Defendants ſhall have appeared; or if upon Demurrer Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have in other Caſes by Law.

Act to be read at Quarter Seſſions, and at Leets.

And be it further enacted by the Authority aforeſaid, That this Act ſhall be publickly read at every Quarter Seſſions, and at every Leet or Law Day, during the Continuance thereof,

thereof, and that this Act, and every Part thereof, shall continue in Force for the Term of Five Years, and from thence to the End of the then next Session of Parliament, and no longer.

FINIS.

BRITISH MUSEUM

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FINIS.

BRITISH MUSEUM